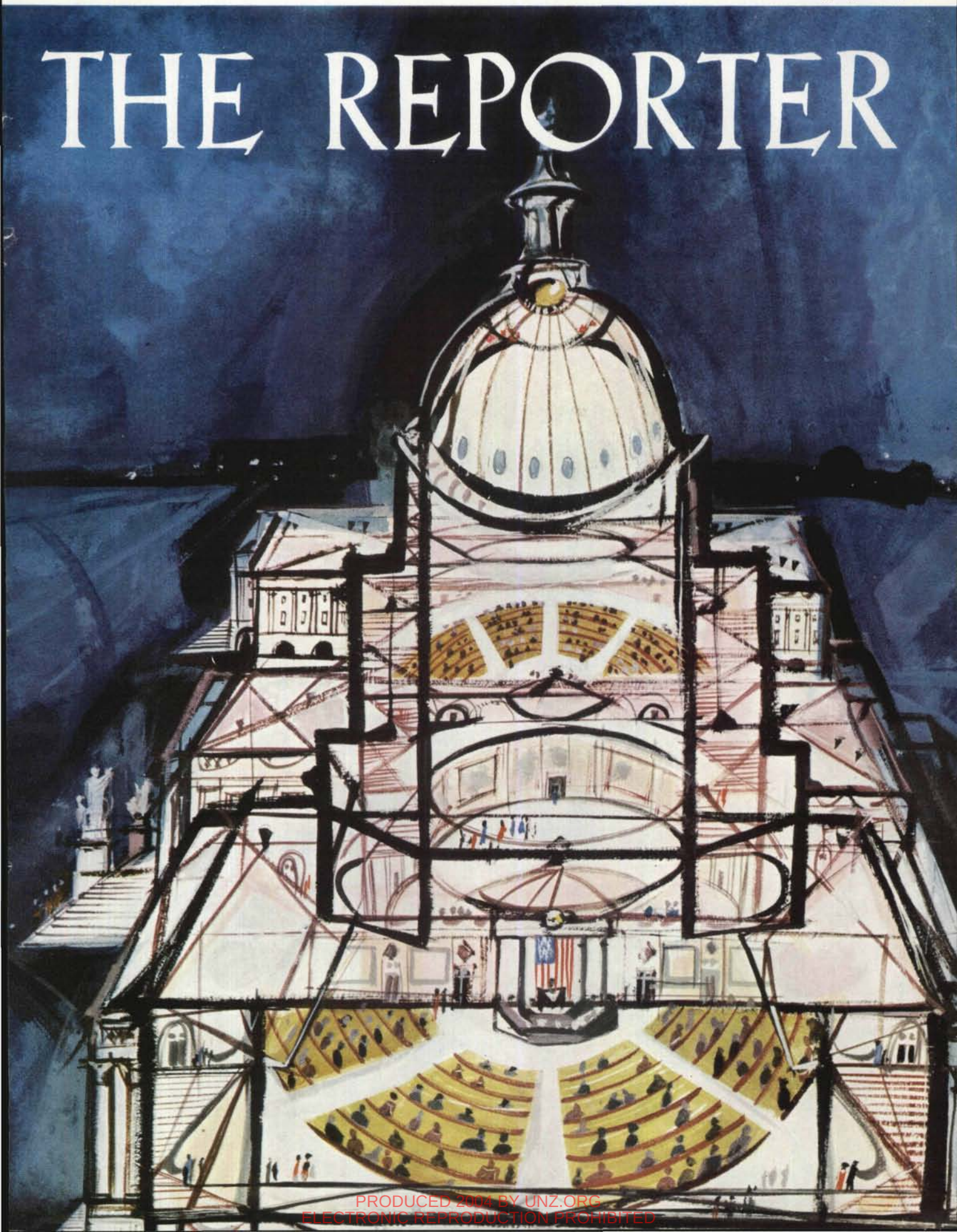
Civil Rights and the Senate

CDC September 5, 1957 25¢

THE CASE OF THE FIVE SPANISH SAILORS (page 29)

THE REPORTER



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THE REPORTER'S NOTES

The Importance of Being Leftist

What's most remarkable about the recent turn of events in Syria is the fuss that has been made about it in the western capitals, particularly in Washington. There was real anguish there, and no attempt to hide it. The only relief was provided by the President, and it was of a strictly semantic nature: After all, he said, maybe the coup was not Communist or pro-Communist but just leftist. Still, we know very little, he added, of what is happening in Damascus, for our intelligence men and diplomats there cannot easily walk out of the embassy gates. We had no idea that our intelligence of Syrian affairs could be that pedestrian.

For months and months, well before the Suez affair, the predominance of pro-Communist elements in Syrian politics and in the Syrian Army had been a well-established fact. More than two months ago, our correspondent Claire Sterling bravely walked through the streets of Damascus, drove around the country, and reported in detail on the staggering amount of military hardware that the Communist countries were unloading on Syria. We did not send Claire Sterling to Syria to find out whether or not the government was pro-Communist but we wanted to know about the military means and the aggressive potential of that pro-Communist government.

Actually, since pro-Communist elements have been for so long in control, one may ask why the recent coup that gave Washington an undisguised case of jitters didn't occur much sooner. For this delay in dramatizing the obvious, the major credit, we think, goes to the Eisenhower Doctrine. A number of Syrian politicians, in uniform or in mufti, must have thought that they could only gain—we mean it rather literally—by convincing our representatives that, after all, things were not as bad as they looked, and that there was still a chance for improvement if only our country would remain both patient and generous. At a certain moment, these Damascus politicians must have thought they had gone as far as they could. Or could it be that they are raising their ante, if they can only convince Washington that the Syrian régime is a Levantine version of Titoism?

Since the beginning, the Eisenhower Doctrine has been little more than a palliative for the acute difficulties of the Middle East, an attempt to buy both time and loyalties. The real meaning of the recent Syrian events is that they show how time is running out, and how the price of loyalties is rising. The operative clause of the Doctrine states that armed intervention by our country would be forthcoming only upon request by a victim of "armed aggression from any country controlled by international Communism." This implies that to be the object of the Doctrine's military sanctions, an aggressor must produce a Communist affidavit. The operative military clause of the Doctrine is therefore likely to remain inoperative, while the price of pro-American loyalties will continue to climb.

Perhaps some day the President is going to ask Congress for a new appropriation to keep the Doctrine going. Or perhaps some day Khrushchev is going to announce that he too is a kind of Titoist and that he is entitled to some sort of subsidy if he is not to revert to Stalinist aggressiveness.

Peiping Toms

One of the many skills mastered by this administration has been the art of rug pulling. Take People to People, for instance. Nearly everybody from the President down to us thought it would be a splendid idea if we made it easier for ordinary people in all countries to get to know each other. The American kids who had the curiosity to want to know Russian people and now want to know Chinese people find themselves half buried in a landslide of State Department bricks and Dullesian censure. Presumably the Russians and the Chinese are not People, just Commies.

Then take a look at this, from a recent dispatch: "Foreign language instruction for 20,000 American youngsters attending United States Air Force schools in Europe and the Middle East will be dropped as an economy measure beginning with

UP NORTH

"Teenagers have greatly outnumbered adults in the crowds that have been causing disorders since the Myerses started to move into the [Levittown, Pennsylvania] dwelling. . . ." *New York* Times, *August 22*

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Levittown, Levittown,
Chillun fit de battle ob Levittown
An' de walls come tumblin' down.

You kin talk about yo' Byrds and Talmadges,
You kin see how de Klansmen roam,
But what you goin' to say about yo' neighbors' kids
When dey stone a black man's home?

—SEC

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the fall term opening Sept. 4." How often do we reduce vision when we reduce appropriations?

The hope, it seems to us, may lie in the young themselves. A lot of publications and books have been damning our high-school and college students as a limp lot: passive, obsessed with personal security, apathetic politically, "the silent generation." Possibly this intransigent little group on its way through China is just a freak, but a much larger group that just met on the very American campus of the University of Michigan was distinctly unsilent. This was the annual congress of the U.S. National Student Association, a federation of 350 student governments representing about 800,000 college youths. A friend of ours listened in on some of the talk by forty student editors in a somewhat aseptic snack bar, and it was hardly passive.

The attitude toward the Moscow festival was mixed: The U.S. National Student Association, like the student associations of some other countries, had boycotted it. But there was also some resentment about the official meddling by the State Department.

"If you close the doors, you invite curiosity," said an Oberlin student. "Maybe the Americans were mistaken in going to Moscow. . . . I don't think so, myself . . . and probably the ones who went to China were wrong. But wasn't Mr. Dulles ever a student himself? Doesn't he remember what it's like to be young?"

Maybe sometime he will. He showed lately that he knows at least a little of what it is to be an adult, when he let two dozen grown-up American journalists go to China.

Limited Consistency

Convinced as we are that big wars are obsolete but little wars, unfortunately, are not, we were dismayed to read about Pentagon plans for further cuts in our armed forces. Our dismay was in no way eased by noting that outgoing Secretary Wilson's projected ceiling—2,500,000 by 1959—was identical with the one our envoys were proposing to the Russians in London. The only difference between the two is that Mr. Wilson would apparently give to the Russians for nothing what Mr. Stassen would give them only if they would reduce their own army to the same figure.

Only a few days earlier there had been welcome signs of a saner military policy in the making. On August 11 the New York *Times* reported that "at the highest Government levels," including Mr. Dulles himself, a reappraisal of the doctrine of massive retaliation was under way and that new interest was being shown in the concept of limited war. The *Times* attributed this development in part to the influence of a new book by Henry A. Kissinger, *Nuclear Weapons and Foreign Policy*.

Two days later the *Times* followed this up with a lead editorial which stated flatly that "This new alternative strategy, which would limit war rather than arms, has been approved by both President Eisenhower and the National Security Council, and the whole military setup is now being adjusted accordingly."

In this, the fifth year of the Eisenhower administration, the *Times* should really have known better than to stick its neck out. Two days later, in the course of announcing the proposed cut in the armed forces, Secretary Wilson said he knew of no change in policy. Three days later the *Times* gave up. ". . . Officials at the Pentagon," it reported, "assert that there has been no change in military policy. They say that there has not been even a reconsideration of the basic approach to the problem of 'little' and 'big' wars, despite reports emanating from the State Department."

The conclusion seems to be that the administration does not like the idea of limited wars and shows its undeviating devotion to the practice of limited consistency.

Cornered

When Jimmy Hoffa first appeared before the Senate Select Committee to Investigate Improper Activities in Labor-Management Relations, he was tough, competent, cocky; scorning the Fifth and giving every evidence of full and open answers to all questions; with that directness that can pass for honesty and the level look in his eyes that many Americans equate with sincerity. There were several days when Hoffa not only made some of the senators (notably Ives and Mundt) look soft but even the terrier Bob Kennedy look vulnerable. Toward the end of his testimony, Hoffa's outlines began to blur, and so did his memory. The furrows in his brow deepened, the answers lost their fluency. An almost visible deflation took place, as if his air had been let out, while young Counsel Kennedy closed in relentlessly and the senators resumed the dignity of their office, if not of their persons.

Where Music Flourishes

Shortly after the publication of our last issue, featuring the approach of the Leisure Era, we watched the House of Representatives demonstrate its concern for at least one of the nation's leisure pursuits. The House that day passed what its sponsors called the cabaret-tax bill, reducing the excise on the patron's tab from twenty to ten per cent in establishments that offer live music. The measure has gone to the Senate.

During the House debate, it required a stout defense of American culture to outweigh the arguments of a few austere Midwesterners. Representative Frank Thompson, Jr., a New Jersey Democrat, said that 208 establishments in his state had closed or dispensed with musicians because of the tax, causing unemployment in the craft "so pronounced as to threaten the very existence of music in our country." Then, sounding the inevitable theme song of the cold war, he added, "When we permit an unwise tax policy to strike at the vitals of a basic culture we are indeed surrendering the main redoubts of our free world." Not to mention the American Way of Life.

For the chronic realists, Representative Aime J. Forand, Democrat of Rhode Island, cited the incontrovertible words of Harvard Professor Alvin H. Hansen: "Music is a major element of the Nation's cultural life, and to have music we must have musicians. To have fine music we must have fine musicians. And to have fine musicians, we must have an economic breeding ground for musicians of all kinds." We had never thought of cabarets in that light, but the House was impressed.

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FRENCH RESURGENCE

To the Editor: Edmond Taylor's article "The Good News from France" (*The Reporter,* August 8) will certainly go far in dispelling some of the anxiety felt in this country with respect to France's inner strength.

The history of France since the end of the Second World War has been one of resurgent vitality, of noteworthy progress in production and productivity, in scientific research and industrial techniques. Last but not least, France now has one of the highest birth rates in western Europe. All this new strength of France is beautifully brought out in Mr. Taylor's article.

CHARLES LUCET
Minister Plenipotentiary
Chargé d'Affaires of France
Washington, D.C.

To the Editor: All of the items from Mr. Taylor's notebook are accurate, and yet at the end of his article he must gropingly seek for an explanation why, in the midst of so much progress, the country is struggling at present with an almost desperate financial problem. He could have added that workers' dissatisfaction has hardly subsided, and that its barometer, the large Communist vote, probably still stands where it stood at the last general election.

I would agree that France is undergoing a "crisis of growth." But Mr. Taylor might be far too optimistic when he states that "immobilism has long since ceased to be the dominant feature of the French economic system." The struggle between the social and political forces which for many a decade have caused that "immobilism" and those which try to overcome it is decisive but far from decided. The protectionist walls, built both inside the country and at its borders, have not yet toppled. There are indeed forward-looking elements within French business organizations who, together with members of the high bureaucracy, are doing their best to spur progress. But the same trade associations are responsible for keeping prices high so that French goods cannot compete on foreign markets, and so that at home many of the inefficient marginal firms survive. The import policies of what Mendès-France once called the "great-semi-public or private monopolies" channeling foreign trade may have much to do with the present predicament of the French crisis. The Poujade movement may be dead; the political weight of the unproductive elements and the underdeveloped regions of France remains heavy.

Reading Mr. Taylor's account, one could conclude that however great the political calamity, economic progress will save the country. Political uncertainties, the inability of government to arbitrate between conflicting claims, have as yet not permitted France to definitely overcome the many handicaps to her modernization. To be sure, since Mr. Taylor wrote, the French parliament has ratified the European Common Market, which could intensify and stimulate expansion of the modern sectors of the

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economy. But at the same moment the government had to reintroduce the most severe trade restrictions. "Ratification is no plaything," a serious-minded Paris newspaper warned. Neither is the present French crisis.

HENRY W. EHRMANN
Boulder, Colorado

To the Editor: There is a debit side to our story in France, and I am not inclined to forget it, but on the credit side there is a lot to be said which sometimes is never said, just because we French people are not too disposed to speak of ourselves outside of our own borders. Thank you for filling this gap of our national characteristics and for your deep and friendly understanding of our problems.

PIERRE DESHAYES
French National Railroads
New York

LAWYERS ON TRIAL

To the Editor: Irene Soehren's piece "Lawyers on Trial," in your July 11 issue, well describes the problems and responsibilities of lawyers in defending unpopular and just plain indigent defendants in criminal cases. But Miss Soehren's conclusions seem to me perhaps unduly optimistic.

That Judge Medina was, as he points out, deluged with letters of praise for his conduct of the first major Smith Act trials, *as a judge,* is scarcely an indication that the American people are aware of the social function that can be performed by responsible counsel for the accused in such cases. Miss Soehren does not mention the Bigelow case a year ago, when Judge John Bigelow almost failed of confirmation to the board of governors of Rutgers University because, after his retirement from the bench, he had responded to a request from his local bar association to represent a teacher who, it turned out, invoked the Fifth Amendment before the House Un-American Activities Committee.

The bar itself has exhibited a sheepish reluctance to face the problem of providing counsel for unpopular defendants, or even of raising the shockingly low level of professional competence at the criminal bar generally, an attitude only obscured by the accomplishments and sacrifices of the individual lawyers.

The problem of representation for the unpopular cause is also involved with the accelerating deprofessionalization of the legal profession. The lawyer is finding it increasingly difficult to maintain the degree of professional independence that is essential for him to serve his client as well as the public interest.

ADAM YARMOLINSKY
Washington, D.C.

To the Editor: I found Miss Soehren's article very interesting and am glad to see that there are those interested in keeping this matter before the public. As a matter of fact, there has been a great change in public sentiment since I was admitted to the bar in 1912. I suppose this is partly due to the fact that times have been so dangerous and critical that people are filled with fear and this leads them to in some way associate the lawyer with the man he is defending and the whole business works into a sort of vicious circle. But everyone charged with crime is entitled to be defended and it is in the interest of every member of the community that such defense be made.

HAROLD R. MEDINA
United States Court of Appeals
Second Circuit
New York

BEN GURION AND 'THE BOOK'

To the Editor: Max Ascoli's "Notes on Israel" in the July 11 issue was both informative and revealing. As usual, *The Reporter* has done its readers a real service by reporting with a depth seldom found elsewhere. Unfortunately, however, a report in depth often reveals the writer's limitations, and Mr. Ascoli has certainly revealed his in his comments on the relationship between modern Israel and the Biblical faith.

I refer especially to his impressions of David Ben Gurion. Mr. Ascoli finds himself mystified that anyone should feel in the presence of this statesman the "presence of the latest Jewish prophet," for "the prophets might have excelled in foreseeing things to come but did not care much for statesmanship or politics." Such a view of Old Testament prophecy could not be more superficial. The Hebrew prophet was not primarily a seer (the Hebrews even had another word for seer) but, as its etymological root suggests, one who "spoke for" God. And the prophets proclaimed God's will for Israel in the midst of and in terms of contemporary and concrete political, social, and economic situations. Few men in history have cared more for politics than Isaiah and Jeremiah, who discuss at length foreign relations with Persia and Assyria. Few have cared more for social injustice than Amos, who condemned those who "sell the needy for a pair of shoes."

For the prophets, men are free to choose and thus the future is always open. If the prophet's prediction of doom often proved remarkably accurate, that was not because he excelled in the occult sciences but because he saw clearly the future consequences of present disobedience to God—a present disobedience that was not abstract or even primarily personal but concretely political and social. The Israeli Martin Buber has clearly shown that this is the fundamental nature of the "prophetic faith."

REV. STUART C. HASKINS
Associate Minister
Congregational Church
Newtown, Connecticut

To the Editor: Having just read Max Ascoli's article on Israel in the July 11 issue of *The Reporter,* I couldn't refrain from expressing my reactions as a Sabra.

Each of us in Israel is so immersed in his own "structure" that it is not often that we are aware of how many "structures" exist, and therein lies the value of this article for us Israelis. The difficulty of presenting an accurate account about Israel stands, in my view, in converse relation to its size. Mr. Ascoli did it well, including personal portraits.

RUTH IZAKSON
New York

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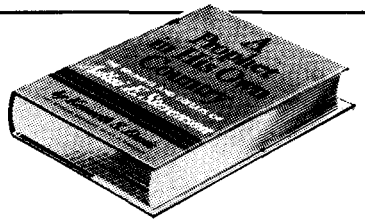

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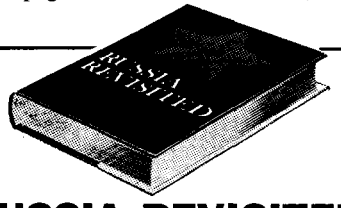

RUSSIA REVISITED

by Louis Fischer

Louis Fischer lived in Moscow from 1922 to 1938 as a foreign correspondent. He returned to Russia last year to see old friends, to ask them what things were like in the post-Stalin era. Whether he writes about USSR itself, or about the satellite nations he visited, his impressions and information on what is actually going on make for fascinating revelations for Americans. He graphically reports his remarkably uninhibited chat with Mikoyan, his conversations with revolutionaries who hurled gasoline-filled bottles at advancing Soviet tanks, his meetings with Muscovites on the street—in a vivid, authoritative, completely up-to-date fashion. $4.00

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WHO— WHAT— WHY—

MANY PEOPLE believe—and in this issue **Dean Acheson, Douglass Cater,** and **Carl A. Auerbach** supply pretty convincing evidence for such a belief—that the civil-rights bill as passed by the Senate is the first constructive step in more than eighty years toward equal political rights for Negroes in the South. Many other people whose judgment we respect hold a more negative view. We followed the debate with intense concern and found in it more and more confirmation for the position we took in our editorial of June 27: that after the Supreme Court's decisions on segregation on the basis of the Fourteenth Amendment, it was high time to act on the Fifteenth Amendment and make the Negro's right to vote a reality down South.

Two of our regular foreign correspondents, **Edmond Taylor** and **Claire Sterling,** have been taking a close look at the truly tragic situation in Algeria—tragic for our French allies as well as for the Algerian people. Mr. Taylor was soon convinced that we can understand little or nothing about Algeria's plight if we approach it in terms of black and white. By no stretch of the imagination would Algerian independence be a cure-all, for the Algerians and the French may be fighting each other but they need each other. Mrs. Sterling found out more about that antagonism and that interdependence when she traveled to Tunis, which has superseded Cairo as headquarters of Algerian resistance. Habib Bourguiba, president of the new Tunisian Republic, is a very able and a very hard-pressed man. He is a nationalist but he knows that the welfare of his country largely depends on the nature of the interrelation it can establish with France. The attitude of men like Bourguiba can benefit both France and the Arab peoples of what used to be French North Africa.

Ray Alan, who knows all the nooks and crannies of the Middle East, describes a nearly incredible comic-opera affair with world-wide repercussions that took place when the imam of Oman—he too—went on the warpath in order to gain independence, and sovereignty of course, for his imamate.

Disarmament negotiations in London have been going on and on and on until most people are so bored that they skip the press reports of that unending tournament. Yet the latest developments suggest that something may still come out of those negotiations. If anything does, our nation and the world will be indebted to that impervious and stubborn man, Harold Stassen. **Chalmers M. Roberts** of the Washington *Post and Times Herald* editorial staff, gives a close-up of our envoy to the London discussions.

Our staff writer **Paul Jacobs** has taken great pains to check and recheck all the details of a rather sordid episode in American-Spanish relations. His is one of those stories that we print not because we like to but because we have to—since it happens to be both true and meaningful.

Malcolm Cowley, critic and editor, is the author of *Exile's Return.* . . . **Martin Mayer** has just completed *Madison Avenue, U.S.A.,* to be published by Harper. . . . **Paul H. Nitze** is a former director of the State Department's Policy Planning Staff. . . . **Gerald Weales** is an essayist and critic. . . . **Sander Vanocur** is a former London correspondent for the Manchester *Guardian.* . . . **Sidney Alexander's** new novel, *Michelangelo the Florentine,* will be published by Random House. . . . **Francis Steegmuller,** author of many books, recently translated *Madame Bovary* for Random House. . . . **Tom Armstrong** is a Westport, Connecticut, artist who also writes, illustrating his own articles. . . . **John Kenneth Galbraith** is Professor of Economics at Harvard.

Our cover is by **Fred Zimmer.**

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THE REPORTER

THE MAGAZINE OF FACTS AND IDEAS

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A Word of Praise

DEAN ACHESON

We Americans are most patient people. We accept a great deal of shoddy performance in many fields with good nature and even without much protest when we are told that it is what we are supposed to like. But when we do something outstanding, as usually happens in human affairs by a rare combination of good luck and good management, we can't believe it. We are filled with suspicion of our own action and immediately deprecate it. Why are we doing this about the civil-rights bill which the Senate has passed?

As I read the papers I get the impression that intelligent and liberal opinion regards the bill as probably the best compromise. Compromise with what? I don't think it an exaggeration to say that the bill is among the great achievements since the war and, in the field of civil rights, the greatest since the Thirteenth Amendment. The bill as passed by the Senate is in every way an improvement over the bill the Senate received—and I mean improvement from the point of view of the actual achievement of civil rights.

The elimination of Part Three was undiluted gain. It made the bill a voting-rights bill which everyone can understand and no one can or will oppose on its merits. It enlists on the side of the citizen seeking this elemental right the whole power of the United States, acting through the executive and judicial branches. He is no longer clothed with theoretical rights but with no practical way of turning them into reality. The elimination of Part Three saved the government from the vain attempt to enforce two Reconstruction statutes which no majority of the Supreme Court has been able to interpret. Before anyone is permitted to bewail the demise of this Part, he ought to be forced to read the innumerable opinions of the court in *Screws* v. *The United States*, 322 U.S. 718 and *United States* v. *Williams* (3 cases), 341 U.S. 58, 70, 97, which, for my sins, I have done. If he can understand what the statutes mean he will be an unusual man. If he can persuade four others of his view he will be more successful than was any justice of the court.

For Congress to have directed the executive branch to enforce these incomprehensible statutes would not have advanced civil rights. It would have produced endless litigation and given a perfect excuse to avoid any further legislation which experience may show to be necessary. Worse than this, it would have invited the court to legislate, as all sloppy and vague acts of Congress require it to do, and then, when it does state the law—as it must—bring down upon it the condemnation of large sections of the community. This sort of Congressional irresponsibility can do vast harm to the judicial branch and to confidence in it. The Senate amendments avoid all this.

Concerning Part Four, the requirement of a jury trial is said by some to nullify the act. Nothing could be more wrong. Those who make this charge usually have no idea what criminal contempt is or what great powers the amendment gives to the judge to enforce his decree by civil contempt proceedings.

The bill as passed seems to me the legislative process operating at its best. Legislation ought not to be an opportunity to record postures or attitudes. Its function is by agreement to get practical things done for the benefit of our society. To do this requires restraint and respect for views different from those of the majority. Respect means not only that they be heard, but that those who hold them and whose loyalty to the result must be won shall believe that they have been heard with respect and have had an effect in the result.

In my judgment this was done in the Senate during the last few weeks. It was done in the best tradition of our republic. It resulted in a bill which, if made law, will, I believe, work effectively in those sections of the country where alone, as a civil-rights measure, it has importance. Law does not lie, as a great judge has said, at the end of a policeman's stick. It is not merely a matter of the orders either of a dictator or of a majority of our people and the Congress. A wise and sympathetic observer of our history has warned that in our "vast country, of continental range and variety, with sectional interests, traditions, passions to be allowed for . . . the imposition by a numerical majority, of its views and interests and passions on great minorities, spread over great territorial areas," might create "in those regions a sense of outrage dearly bought by a symmetrical party programme." This, too, the bill avoids.

Why isn't all this more widely sensed? I understand, of course, that all these matters raise political questions of a party and personal nature in a most acute form. This results in statements which are, at best, tangential to the merits of the problem. Surely we are experienced enough in the generally useful pursuit of "playing politics" to allow for it, discount its language, and keep firm hold of reality. We ought, also, to be sufficiently sobered by the troubled times we live in to understand that politics should play a secondary role in two areas, the security of the United States and in securing to our Negro fellow citizens the basic right which we have promised them for nearly a century—the right to speak for themselves.

Can't we for once be proud of ourselves when we do the right thing?

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How the Senate Passed The Civil-Rights Bill

DOUGLASS CATER

"RARELY in our entire legislative history have so many extraneous issues been introduced into the debate," said the President acidly upon learning that the Senate had tacked a jury-trial amendment onto the civil-rights bill. What was surprising about the remark was not just the President's anger but his rather limited view of how debate is—and always has been—conducted in the Senate. One politician's extraneous issue is another's heart and soul, and a certain amount of give-and-take has always been intrinsic to the legislative process.

The sharp smell of politics had hung over the civil-rights bill from the morning of May 16, 1956, when the President's Attorney General, Herbert Brownell, Jr., appeared the first time before the Senate Judiciary Committee to discuss the four proposals that were subsequently to be consolidated into the administration's civil-rights bill. At that time Brownell received worse handling from Senator Thomas C. Hennings, Jr. (D., Missouri), a determined advocate of civil rights, than he did from the numerous Southerners on the committee. Hennings made much of the fact that the administration had delayed so long in producing a bill—obviously too late for the Senate to complete action. He mentioned query after query he had sent to the Justice Department concerning Democratic-sponsored civil-rights measures, queries that had been either brushed off or ignored.

'Knowland Didn't Want . . .'

The brusque interchanges between Brownell and Hennings, who as chairman of the Constitutional Rights subcommittee held primary jurisdiction in this field, revealed animosity that continued to divide those who should have been working together. This year, after the Justice Department promptly resubmitted its four proposals, staff members of the Hennings subcommittee complained of a notable lack of cooperation. A proposal that the Justice Department should lend the subcommittee an expert to provide legal assistance during hearings was agreed to by subordinate officials, then quashed by Deputy Attorney General William P. Rogers as "a breach of the Constitution separation of powers." Letters from Hennings to Brownell again went unanswered. A specific appeal for analysis and rebuttal of a tricky amendment being circulated by Senator Herman Talmadge (D., Georgia) was ignored, then later the needed facts were submitted directly to Minority Leader William Knowland, who was not a member of the subcommittee.

During the hearings, the subcommittee's staff director, Charles H. Slayman, Jr., requested statistics about the work of the Civil Rights Section of the Justice Department—how many complaints it received, how they were handled, etc. On March 5, Rogers replied: "The task of going through the existing records to attempt to construct such data would be too great to permit our completing it in time to be included in the record of your hearings and we doubt that the results which could be obtained would be of sufficient reliability to justify the time and expense."

One of those closely involved in the committee's work has asked, "Why in heaven's name should it take so long to get information that was the central core of the whole issue? We never had the specific documentation from Justice to support the specific proposals Justice was asking for."

When I questioned Rogers about this matter, he told me: "Bill Knowland has said that it was a lie that we didn't co-operate. It is a tradition that the Department doesn't lend men to Congress. I offered to do the same thing by providing speeches and briefs. Knowland didn't want us to do any lobbying."

Whatever the cause of the Justice Department's behavior—Democratic explanations ranged from incompetence to sabotage—there was certainly a shortage of authoritative statistics about the situation the civil-rights bill was meant to remedy. Senators were obliged to rely on a survey of Negro voting in the South made by the Southern Regional Council, a private organization. Detailed facts from the Justice Department about scandalous voter abuses in Louisiana's Ouachita and Grant Parishes were not entered in the *Congressional Record* until after the Senate vote on the jury-trial amendment.

Politics and Part Three

But politics played a creative as well as a divisive role. It turned Vice-President Richard Nixon, whose voting record on civil rights when he was in the House was not very impressive, into an avowed champion in this field and a willing collaborator with such old enemies of his as Americans for Democratic Action. The lure of the California gubernatorial election next year—a likely jumping-off place for the Presidential race in 1960—undoubtedly helped induce Senator Knowland to overlook established procedure and push the House bill directly onto the Senate calendar. And finally, politics surely quickened the senses of Majority Leader Lyndon Johnson of Texas, who is doggedly determined to extend his constituency beyond the South.

Not long after last fall's election, which revealed a marked shift of Negro voters away from Democratic candidates, a prophecy was leaked from Johnson's office that a civil-rights bill would be passed during the next session. (Johnson's prophecies about anything to do with Congress have a way of coming true.) In January, there were rumors that Johnson had told the Southerners in no uncertain terms that a bill was going through and that they had better drop their customary "corn and pot liquor" arguments and address themselves to its merits.

Johnson remarked to me recently,

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"It was realized that there could be no 'compromise' in the sense of an empty and evasive deal. The bill that was going to emerge had to have meaning and substance."

With such a line-up, the passage of a bill was predictable. The only question was what kind. In retrospect, it seems obvious that the virtual elimination of Part Three, which authorized the Attorney General to employ injunctive power to enforce school desegregation and other civil rights, had been pretty well determined before the debate even got started.

THE IDEA behind Part Three—a greater use of civil sanctions instead of cumbersome criminal prosecution—goes back a good many years and was specifically endorsed in 1946 by President Truman's Committee on Civil Rights. But the specific draft legislation was new and revealed curiously sloppy preparation. Instead of drafting a totally new statute, Justice Department lawyers had resurrected an old statute from Reconstruction days that permitted an aggrieved individual to seek civil redress, to which they attached additional authority for the Attorney General to act. The lawyers argued that they were merely seeking a new guarantee for old "rights."

What they evidently overlooked was that this statute, 42 U.S.C. 1985, was linked in turn to another Reconstruction statute, 42 U.S.C. 1993, which authorized the President to call out the troops to execute its provisions. In short, they adopted the approach most likely to revive the emotions of a time when Northern zealots in the Senate had "waved the bloody shirt" and urged repressive measures against the defeated South.

A story made the rounds that just before the Senate began its debate, Senator Richard B. Russell (D., Georgia), sitting down with a legislative assistant to go over the Brownell measure line by line, had for the first time discovered the unfortunate reference, which he promptly termed "the ultimate in the technique of legislative draftsmanship to obscure purpose while creating and conferring power."

Actually, the discovery had been made some time earlier. On February 16, when Brownell appeared before the Hennings subcommittee, Robert B. Young, a staff member of the Judiciary Committee assisting Senator Samuel J. Ervin, Jr., (D., North Carolina) in his interrogation, raised a question about the tie to 42 U.S.C. 1993. Brownell, obviously caught unawares, got mad and demanded that this line of questioning be dropped. When the question was pressed, he exploded, "Mr. Chairman, I believe there is in here an application that the President of the United States would act recklessly if not unconstitutionally, and I just cannot sit by and have the record contain any such implication of that." He demanded a ruling from the chairman as to whether the question was "within the authority of the committee." And he finished irritably: "We are certainly bound by rules of proper respect being paid to the President of the United States."

The question was dropped. But, curiously, Brownell seemed content with his momentary victory over a committee staff assistant and failed to do anything about the unfortunate reference, which the Senators later unanimously voted to repeal.

By then, the damage had already been done. Russell's use of the issue served to fix the Senate's attention on the vast discretionary power that Part Three accorded an Attorney General to initiate legal action that might require an authority greater than his to carry out.

IF RUSSELL undermined Part Three, it was President Eisenhower who brought it toppling. In a posture that has become familiar this year, Mr. Eisenhower tried to maintain a remote, almost disinterested, attitude toward his administration's handiwork. At his news conference on July 3, the morning after Russell's initial attack on the bill, he stated when questioned about the possibility of eliminating Part Three: "Well, I would not want to answer this in detail, because I was reading part of that bill this morning and I— there were certain phrases I didn't completely understand. So, before I made any more remarks on that, I would want to talk to the Attorney General and see exactly what they do mean."

Two weeks later, the President was asked:

Q. "Are you convinced that it would be a wise extension of Federal power at this stage to permit the Attorney General to bring suits on his own motion to enforce school integration in the South?"

A. "Well no; I have—As a matter of fact, as you state it that way, on his own motion, without any request from local authorities, I suppose is what you are talking about—"

Q. "Yes, sir. I think that that is what the bill would do, Part Three."

A."Well, in that we will see what they agree on. . . ."

Perhaps the President was hoping someone would come up with a substitute for Part Three. The maneuvering to do so was brief and abortive. On the morning of Wednesday, July 17, about the same time the President was sharing his views with the press, sixteen organizations that had constituted themselves the civil-rights caucus gathered in a basement room of the Capitol to talk things over with the six civil-rights stalwarts in the Senate: Douglas (D., Illinois), Humphrey (D., Minnesota), Pastore (D., Rhode Island), Javits (R., New York), Ives (R., New York), and Clifford Case (R., New Jersey). All six reported frankly that there simply weren't enough votes to defeat the Anderson-Aiken amendment, which would leave almost nothing of Part Three. Knowland, who was escorted to this session by Roy Wilkins, executive secretary of the N.A.A.C.P., urged courage before the battle—but was already at work on alternatives.

The next day the move to come up with a substitute was in full swing. The liberal Democrats had a proposition that the Attorney General should act only if he had a sworn complaint from an individual whose civil rights had been violated. Knowland favored one whereby the Attorney General would act only when called on by local authorities, such as the beleaguered school board in Hoxie, Arkansas. On the afternoon of Friday, July 19, reporters were told that a substitute would be forthcoming in a few hours. Suddenly, both Knowland and Humphrey announced separately that

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evening that there would be no substitute. It turned out later that Knowland was unwilling to bring out the Hoxie version unless the liberal Democrats would agree to accept it. The liberal Democrats, in turn, felt that they could not vote for Knowland's version unless they had first recorded their votes for Part Three as it stood. Both sides refused to budge. Neither part of this odd coalition was willing to appear to assume the less militant posture before the public, with the result that the Anderson-Aiken amendment was passed by a vote of 52 to 38. On the day of the vote, Knowland returned from a visit to the White House with the helpful word that the President hoped the Senate would not "eliminate" Part Three.

Johnson's Compromises

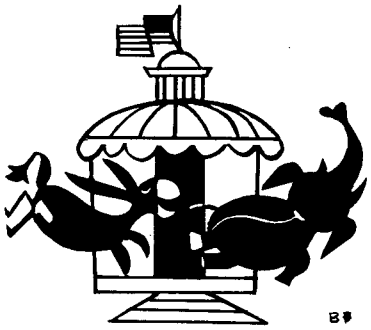
Unquestionably, the antipathy some people feel toward Lyndon Johnson arises as much from his personality as his policies. A high-strung, quick-tempered man, who has not succeeded in learning to pace himself cautiously after his serious heart attack two years ago, he habitually lurches about the Senate chamber, hands thrust deep into his pockets, showing flashes of impatience when a blundering colleague disturbs the orderly flow of Senate business. Occasionally, during a calendar call he will pump his arm in a circular motion as if to crank the sluggish Senate to a higher pitch of activity. He has a way of insinuating that the august assemblage of which he is Majority Leader is ever in the process of arriving at a conclusion that he has long since determined.

The attachment of the jury-trial amendment to Part Four—the right-to-vote section—of the bill was a case in point; probably as much wrath was provoked by Johnson's bland assurance that the amendment would be passed as by the amendment itself.

Johnson swears that there was no hocus-pocus involved: "Everything that happened, short of technical drafting work, took place right on the Senate floor in plain sight of the press and public. Those who are looking for backstage directions and shrewd deals are wasting their time. Whatever maneuvering took place was solely and simply to break the ironclad 'monolithic' type of thinking which has always ruined the prospects of civil-rights legislation in the past."

FEW TOOK the trouble to measure how far the maneuverers were obliged to go in working out their compromise. During the committee hearings, there had been an effort to require a jury trial for the mere issuance of an injunction by a district judge. At a later stage, the Judiciary Committee actually adopted a proposal that jury trial was to be required in all contempt cases, civil as well as criminal. Senator Joseph O'Mahoney (D., Wyoming), a Western liberal in the George Norris tradition, was willing to accept the compromise at this point.

By the time the fight reached the floor, there had been still a further



compromise. The first of what developed into four "editions" of the O'Mahoney amendment had been inspired by an article of Telford Taylor in the New York *Times* Sunday magazine. It provided that there would be a jury trial whenever a "fact" was in dispute. O'Mahoney's attempt to explain how this would work only compounded its vagueness and drew a swift disclaimer from Taylor himself.

MORE LASTING inspiration, however, came from an article appearing in the *New Leader* of April 29, 1957, written by a Wisconsin law professor, Carl A. Auerbach, who is an expert on civil procedure. Auerbach, though a strong proponent of the pending legislation, argued that "A split in the ranks of the pro-civil rights forces over the jury-trial issue is as unjustified as it is unnecessary." He sketched out the distinction between civil contempt, enforceable by judge alone, and criminal contempt, for which a jury trial could be required. In the former, a defendant, by complying with the judge's order, would carry the key to the jail. The latter would be pure and simple punishment.

Auerbach's article attracted the attention of Benjamin V. Cohen, a New Deal brain truster who is an expert on drafting legislation. Cohen felt the liberals should initiate the jury-trial amendment, but when he sounded them out he found that they were "generally sympathetic but indisposed to show weakness." In the well-staffed office of the majority leader, he got more serious attention. He was invited to lunch with Johnson to explore the possibilities in this field. A draft amendment was handed to him and the legally meticulous Cohen was soon totally involved in perfecting it. Before long, such eminent lawyers as Dean Acheson and Abe Fortas had also been consulted on what emerged as the second edition of the O'Mahoney—now O'Mahoney-Kefauver—amendment.

Was Johnson's interest exclusively that of a "compromise" artist? Acheson answered me in the negative. "I was greatly impressed with his intellectual ability in a most technical field. He grasps things instantaneously. He understands that government is not a matter of posturing but of getting things done. There were a series of decisions to be made which he made judiciously. What kind of jury-trial amendment? He could have followed the Norris-LaGuardia route—a jury trial where the act of contempt is also a violation of the law of a state. He saw that that made no sense. It would permit evasion. Instead, he took the historic difference between criminal and civil contempt and spelled it out so that it was very clear. Certainly, there were political considerations involved but in the highest sense of the word 'politics,' the art of government."

On July 26 the amendment's third edition, which included Senator Frank Church (D., Idaho) as a sponsor, was introduced. It extended the jury-trial provisions to criminal-contempt cases in other fields beside voting. The political consideration

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behind this new move was obvious, particularly to leaders of organized labor whose rights to jury trial have been considerably curtailed under the Taft-Hartley Act.

THE OBJECT of all this desperate activity, according to Johnson, was to break "monolithic" thinking. But as the weekend of July 27-28 approached, not even the smallest schism showed in the ranks of those who opposed the amendment. Knowland, quite sanguine, was beginning to push hard for a unanimous consent to vote. The AFL-CIO Executive Committee showed no sign of yielding to temptation, announcing, "The AFL-CIO cannot and will not permit itself to judge the appropriateness of this proposed change in H.R. 6127 because of any possible advantages to organized labor." On Sunday afternoon Senator Humphrey, appearing on "Face the Nation," announced confidently that the jury-trial advocates "haven't got the votes."

That same Sunday, however, there was a first sign of a crack in labor support of the bill as it stood. One of Johnson's staff assistants was airing his children in Glen Echo Amusement Park outside Washington when he bumped into Cy Anderson, legislative representative for the twelve railroad brotherhoods. Anderson voiced a sentiment that came from long union activity: "Any labor skate who is against trial by jury ought to have his head examined." Three days later, the twelve railroad brotherhoods telegraphed Johnson their support for the amendment.

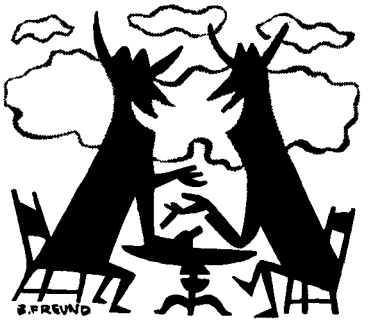
Before that, there had been a bolt out of the blue. On July 31, Johnson announced that he had received a telegram from John L. Lewis, who "had never communicated with me directly or indirectly until 2:48 P.M. today." The telegram rumbled: "The injunction has been in the past so often abused and indiscriminately used that enlargement thereof, even for worthy purposes, must carry with it reasonable protection . . ."

Analyzing the tactics of the battle, a Johnson confidant later admitted that there had been two unexpected breaks. The first was Mr. Eisenhower's reaction to the Russell speech. The second came when Knowland got nervous and tried to step up the pressure. "Knowland," he confided, "can't stand a little power. He's the finest character you ever dealt with so long as he is in the minority."

By Monday, July 29, Knowland was pushing hard. Somewhat petulantly, he called on the Southerners to start their filibuster: "Let's have it now and fight it out." On Wednesday, July 31, he made three separate motions for unanimous consent to set a fixed time for a vote. He remarked to me recently that he was prepared later that week to force a vote by moving to table the O'Mahoney amendment even though he knew he would lose a few votes by staging such a showdown. But the votes had already left him.

Mr. Nixon's Role

Late on the evening of Wednesday, July 31, the fourth edition of the jury-trial amendment was put together on the Senate floor when Senator Church, joined by ten others, tacked on a new code for Federal juries to ensure that Negroes would not be excluded. Ostensibly, it was directed at the argument raised by Senator Douglas that in many areas the disfranchised Negro is barred from serving on the juries that might have to pass on his voting rights. But it was also meant as an answer to a charge made privately to Johnson by fiery AFL-CIO Vice-President James Carey, who said that



"The Democrats have been fighting to take things out of the bill when they should be trying to put things in."

Next morning Johnson himself called up Knowland's unanimous consent request. With the time for voting set, there was a long day of frantic dickering by those who opposed the amendment. But it was too late. The roll call came just after midnight; the amendment was passed 51 to 42.

The coalition of Northern liberal Democrats had been split wide open. Pastore, one of the three leaders in the fight to save Part Three, had become an outspoken advocate of amending Part Four. Senators Jackson (D., Washington), Anderson (D., New Mexico), Green (D., Rhode Island), and Murray (D., Montana) had lined up behind him. Senator Kennedy (D., Massachusetts), who is walking the tightrope of Presidential ambition, joined them at the last minute. Equally important, Knowland, who had been sublimely confident of thirty-nine Republican votes, ended up with only thirty-three.

Undoubtedly the "institution" of the majority leadership, with all its capacity to hand out plums and perquisites, had been fully employed to sway any waverers. Long needed extra district judgeships for Kansas and Maryland suddenly cleared the Judiciary Committee a few days after Senators Schoeppel (R., Kansas) and Butler (R., Maryland) recorded their "Aye" votes. But there were also counterforces at work. All during the day before the vote, Vice-President Nixon and Deputy Attorney General Rogers (Brownell was on a trip to Europe) haled recalcitrant Republicans off the Senate floor for the kind of subtle persuasion an administration in office can exert. It was also reported that Postmaster General Arthur E. Summerfield suddenly found it a matter of convenience to discuss postmaster appointments in the Vice-President's office next to the Senate cloakroom.

THE Vice-President, who had remained unusually inconspicuous throughout the debate, began to grow more lively early in the evening of the jury-trial vote. Around seven o'clock, an A.D.A. representative standing in a corridor outside the Senate Chamber chanced to bump into Nixon and Rogers as they were going down to dinner. Nixon, conceding that the opposition to the amendment was about to be overwhelmed, suggested, "You fellows ought to consider whether the best strategy wouldn't be to hold the bill in conference until next year and

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then make an all-out fight for a stronger bill."

Late that evening, there was a sharp encounter between Johnson and Nixon in the Senate cloakroom. According to those who overheard, Nixon asserted that while Johnson had won for the time being, he would see who had really won this fight in the long run.

When the Senate recessed after the vote at 12:19 A.M., and the reporters swarmed onto the floor, Nixon told them grimly, "This is one of the saddest days in the history of the Senate." It had been, he declared, "a vote against the right to vote."

Next morning, bright and early, he was at the White House for the cabinet meeting. Afterward the President was reported to be "bitterly disappointed" and "damned unhappy" by the Senate's action. House Minority Leader Martin, picking up the cue, declared, "I don't see any chance this year. It looks like the bill's dead for the session."

It seemed more a strategy to kill than to correct the bill. The net effect was to scare some of the more zealous civil-rights advocates, who saw the bill about to be caught in the maelstrom of party politics. The sixteen private organizations that had constituted themselves the civil-rights caucus hurriedly called a session in lawyer Joseph A. Rauh's Washington office and, after a good deal of soul-searching, issued a statement expressing "bitter disappointment" over both amendments but urging senators to vote for the bill. "We call upon friends of civil rights, in both political parties, to place the goal of some progress in this area ahead of any fancied political advantage."

FOR A TIME, the effort to throw the whole fight over to next session gathered steam. Reporters, actively proselytized by staff members at the White House and Justice Department, were told that the liberal organizations had "sold out" for partisan reasons, and that the bill was unworkable and would prove to be a terrible disappointment to the Negroes. Chances for a "better" bill next year were good, it was said, since there will probably be a new Republican Senator from Wisconsin to fill the McCarthy vacancy, and possibly one from West Virginia, where a Republican governor may find himself in a position to appoint a successor to Democratic Senator Matthew M. Neely, who is seriously ill.

Some Republicans looked on this agitation without much enthusiasm. Knowland, who had worked hard on the bill, and who may not be around much next year if he is campaigning in California, told me that he wanted action this session. Javits, second to none in his zeal during Senate debate, declared openly, "I want a bill and not a campaign issue." Even Nixon, in a curious turn of the circle, suddenly seemed to adopt a less than intransigent attitude. On August 14, James Reston wrote in the New York *Times:* "Vice-President Richard M. Nixon . . . is understood to be taking the position that [a prolonged civil-rights] battle in 1958 would seriously interfere with the administration's efforts to get a good legislative program through Congress. For that reason, while he is going along with the administration, he is warning against a strategy that might endanger the program just before all the House and one-third of the Senate has to go to the polls."

THE WINDUP in the Senate was something of an anticlimax. On August 2, only a few hours after the jury-trial vote, the Senators gave unanimous consent not to introduce further amendments. Without a vote, they sanctioned a Civil Rights Commission with subpoena power—scarcely to be hoped for a few months ago—and a new Assistant Attorney General to work full time on civil rights. On August 7, after a debate of 121 hours and 31 minutes, which nobody called a filibuster, the United States Senate, by a vote of 72 to 18, passed its first civil-rights bill in eighty-two years.

Is It Strong Enough To Do the Job?

CARL A. AUERBACH

TO APPRECIATE the significance of the civil-rights bill passed by the Senate this August, which I believe to be a historic step toward achieving the purpose of the Fifteenth Amendment, it is necessary to place it in the framework of existing Federal law. At the present time, it is a Federal crime (1) for public officers to deprive any citizen of his right to vote in any Federal, state, or local election on account of race, color, or previous condition of servitude; (2) for two or more persons, whether public officers or private persons, to conspire "to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment" of his right to vote in any election for President, Senator, or Representative; and (3) for any public officer or private person to interfere, by intimidation, threats, or coercion, with any other person's right to vote in any election in which Federal officers are to be chosen. Crimes (1) and (3) are punishable by a fine of not more than $1,000 and imprisonment for not more than one year; crime (2) by a fine of not more than $5,000 and imprisonment for not more than ten years.

Existing Federal law also authorizes any person deprived of his right to vote to bring an action to recover damages from those who violated the applicable criminal statute or to enjoin them from committing or continuing the violation.

CRIMINAL PROSECUTIONS by the government and private civil actions in the Federal courts opened Southern primaries to the Negro. Men have been convicted in a Federal court for beating a Negro because he voted in a Congressional election. A criminal prosecution gave the

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Supreme Court the opportunity to outlaw a provision in Oklahoma's constitution that operated to grant white citizens the right to vote automatically but required Negroes to take a literacy test. A private action for damages brought by a Negro enabled the court to outlaw an attempt by Oklahoma to evade this decision. In an injunction action brought by Negroes, the court declared unconstitutional the 1946 Boswell amendment to the Alabama constitution, which required applicants for voting registration to understand and explain any article of the Federal Constitution.

YET, in spite of the determination of Federal courts to vindicate the Negro's right to vote, it is estimated that in 1956 only 1,238,038 Negroes were registered in the twelve Southern states. This figure represented only twenty-five per cent of the Negroes of voting age in the region. (Sixty per cent of the eligible white voters were registered.) Clearly, then, neither the threat of criminal prosecution nor of private civil action is effective, in practice, to secure the Negro's right to vote.

The reason must be that the threat is not very real. In fact, the Department of Justice complains that it is almost impossible to convict Southern white election officials. Early this year, for example, the Department presented a number of cases involving flagrant violations of the right to vote in five Southern Louisiana parishes, but an all-white Federal grand jury in Louisiana refused to return any indictments.

Furthermore, Southern states have recently acted to discourage the bringing of private lawsuits to vindicate civil rights. At least three states —Georgia, South Carolina, and Tennessee—have enacted so-called anti-barratry laws which make it a crime, subject to stiff penalties, for anyone, nonprofit associations included, to instigate or support such suits. Some states have simply banned the N.A.A.C.P. Although these laws are of doubtful constitutionality, it will take years for the question to be authoritatively determined. Meantime, the N.A.A.C.P. is crippled in its efforts to assist in bringing and maintaining private lawsuits, and individual Negroes in the South lack sufficient financial resources to resort to law to vindicate their rights —even if they are willing to run the risk to life, property, and livelihood which this may entail.

The new civil-rights bill would authorize the Attorney General to institute, in the name of the United States, civil actions to enjoin any public official or private person from interfering with any other person's right to vote in any general, special, or primary election involving a Federal office.

This is not the whole extent of the added responsibility the bill would give the Federal government. A six-member Commission on Civil Rights, armed with subpoena power, would be set up to investigate written complaints that citizens were being deprived of their right to vote. (Concerning other civil rights, the commission would be required merely to study and collect information, and evaluate the laws and policies of the Federal government.) Also, the Justice Department would be authorized to employ an additional Assistant Attorney General, with the apparent understanding that he would devote full time to the enforcement of civil rights.

Although the injunction is ordinarily a relatively mild enforcement device compared with the criminal sanction, it has a real bite in right-to-vote cases: The trial preceding issuance of the injunction would be held before a judge sitting without a jury, and civil-contempt sanctions to secure compliance with the court's decree would also be imposed without jury intervention. However, jury trial would be required to punish the violator of the court's order for his affront to the dignity of the court and his challenge to Federal authority, which constitute criminal contempt.

This is the substance of the jury-trial amendment that has agitated Congress, the President, and the country for so many weeks.

Of course, the bill would be stronger if the judge himself, without a jury, could impose penalties for criminal contempt. The certainty of imprisonment or fine for willful disobedience of court orders would deter would-be violators. But the fact is that the sanctions available to a resourceful Federal judge in a civil-contempt proceeding are just as effective to ensure that Negroes will vote as are the maximum penalties of a $1,000 fine and six months in prison, which even a judge sitting without a jury can impose for criminal contempt under existing law.

The Conditional Fine

Let us see how the new bill would work in some actual situations. Mississippi, for example, requires an applicant for registration to write a statement, unaided, indicating why he feels he should be given the right to vote and what it means to him, that will satisfy the county registrar concerning his knowledge of citizenship under a constitutional form of government. Alabama requires Negro applicants to answer such questions as: "On what date did the 10th Amendment to the Constitution become effective?" "What was the 14th state to be admitted to the Union?" In these situations, the Attorney General of the United States could secure an injunction ordering Southern registrars to stop giving these tests or, at the very least, to give Negro applicants the same tests that they are giving to white applicants.

Registrars disobeying the injunction could be imprisoned until they gave the court solemn assurances that they would obey its order. Since the registrars would be able to leave the jail as soon as they gave the necessary assurances, their imprisonment would be for civil, not criminal, contempt. Nor would the judge have to rely on promises alone. He could impose a fine of any amount he thought reasonable, to be remitted to the registrars if they subsequently obeyed the court's order. Since it would be up to the registrars to obtain remission of the fines by complying, the imposition of the fine would be for civil, not criminal, contempt.

In 1947, the Supreme Court upheld a conditional fine of $2,800,000 imposed upon the United Mine Workers to secure its compliance with a court order enjoining a strike against the government-seized mines. The court held this fine to be an appropriate civil-contempt sanction.

It should be apparent that the

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conditional fine can be much more effective in securing compliance with a court order than even the certainty of having a judge, without a jury, impose the maximum penalties allowed for criminal contempt. Under the new bill, of course, even though the registrar complied, he could still be prosecuted for criminal contempt, but then only in a trial by jury.

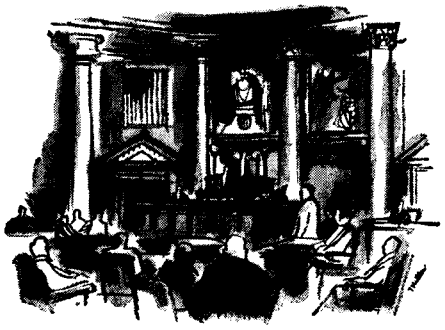
The Southern Registration Laws

Arkansas and Texas do not require registration for voting. South Carolina requires registration every ten years. The other Southern states presently have permanent registration systems that, except for North Carolina, allow registration at any time during six to eleven months of the year. North Carolina requires registration to take place during the two-week period preceding an election. Even in North Carolina, effective action could be taken. It has been the policy of courts exercising equity powers, such as would be exercised under the new bill, to forestall any probable disobedience of their orders. At the same time, therefore, that the judge issued his decree ordering the registration of named persons, for example, he could require the officials to whom it was directed to file a bond, the amount of which would be forfeited if they subsequently failed to comply.

Equally important, the injunctions issued would be *permanent,* continuing in effect for as long as the court deemed necessary in order to effectuate their purpose, and would bind not only the officials to whom they were directed by name but also their successors. Clearly, then, they would be operative during succeeding registration periods and elections.

Finally, in the North Carolina and other state registration situations, Rule 70 of the Federal Rules of Procedure gives the Federal judge a powerful extra weapon. This rule provides: "If a judgment directs a party . . . to perform any . . . specific act and the party fails to comply within the time specified, the court may direct the act to be done at the cost of the disobedient party by some other person appointed by the court and the act when so done has like effect as if done by the party." Faced with the possibility that a recalcitrant registrar might frustrate the court's order, the judge could simply appoint the United States marshal, for example, to register the Negro citizens in question. After this was done, the recalcitrant registrar could be proceeded against for criminal contempt.

Opponents of the jury-trial amendment argue that the tactics of Southern officials would shift to an attempt to keep Negroes from voting on election day either by striking Negro voters from the registration lists just prior to the election or simply by not permitting them to vote. These tactics could be overcome only if the Federal enforcement officials were sufficiently on top of local situations to act quickly enough to secure court injunctions before the election was over. If the election was over before any injunction was secured, there would be no occasion even for a criminal-contempt proceeding, with or without jury trial. If an injunction was secured some time before the election was over, the conditional fine or bond requirement would be as effective as the certainty of a criminal-contempt penalty. A Federal judge might also use Rule 70 to appoint a court officer to accept the ballots of qualified Negro voters and insist that they be counted.



Last, efforts might be made by private persons to intimidate Negroes from registering or voting. In this situation, the civil-contempt conditional fine or bond requirement could be most effective.

So far, then, it has been assumed that the jury-trial requirement makes the criminal-contempt proceeding a meaningless sanction in voting cases, but surely this generalization cannot reasonably hold for every Southern locality.

Negro Jurors

Mention should be made of the reform of the Federal jury system that accompanied the jury-trial amendment. Although a Federal jury statute provides that no citizen shall be excluded from jury service in any Federal court on account of race or color, exclusion was nevertheless accomplished by virtue of another Federal statute which disqualified persons from serving on Federal juries if they were ineligible to serve as jurors under the law of the state in which the Federal court sat. The laws of some Southern states require that a person be registered to vote in order to be competent to serve as a juror. Since relatively few Negroes are registered to vote, relatively few were eligible to serve on Federal juries.

Senator Richard Neuberger of Oregon, an opponent of the jury-trial amendment, proposed as a test of the good faith of its proponents that alleged criminal contempts in voting cases should be tried by a judge, without a jury, in areas where state laws made registration for voting a qualification for jury service. The Washington *Post and Times Herald* editorialized: "It will be something of a surprise if the more rabid enthusiasts for jury trials show much enthusiasm for" such a proposal. But these enthusiasts went the Senator and the *Post* one better. They tacked onto their amendment a deletion of the disqualifying provision in the Federal statutes. In this way, the right of Negroes to serve on Federal juries would be made more secure, because jury commissioners appointed by Federal judges could see to it that jury lists were drawn from more comprehensive and representative lists of the people living in the judicial district.

BY YIELDING to the Southern demand that criminal contempts be tried by jury, Congress has placed a heavy responsibility upon the South to see that the authority of the Federal courts is not flouted with impunity. Southern spokesmen must know that if this responsibility is not discharged, Congress will be less considerate next time.

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A Refrigerator For Tikobain

EDMOND TAYLOR

ALGIERS

IN BOLD lettering the words LIBERTE EGALITE FRATERNITE on Tikobain's glistening new schoolhouse and community center faced the scrawny, chaff-colored mountainside. Upstairs, Mayor Areshy Challal seated us around the council table and poured absinthe-like *pastis* with water—not forgetting his own glass. The young French administrator from the prefecture at Tizi-Ouzou whom I was accompanying seemed pleased at this open defiance of the *Kanoun,* the elaborate codification of tribal custom which, far more than the precepts of the Koran, regulates in minute detail the behavior of the 1.7 million Berber mountaineers in the Kabyle country of northern Algeria.

"Is there anything you need while I'm up here, Mr. Mayor?" he asked.

Tikobain, a sprawling collection of Kabyle hamlets with a total population of 4,500 located on the lower flanks of the coastal range some fifty miles east of Algiers, is one of 1,461 new communities founded under the unexpectedly advanced though not always consistent French program for fighting nationalism with local self-government backed by economic and social reform. In French eyes Tikobain is a show window for the policy. The mayor, a youngish Kabyle with a look of wary competence and wearing blue jeans and an open-neck workman's shirt, seemed fully aware of this.

"Our well has gone dry," he said in slow, correct French. "I would like to have a better one dug."

"I thought the army was taking care of that," the administrator said.

"What does the army understand about water? I want you to send a civilian engineer."

Mayor Challal, a former skilled mechanic with a solid trade-union background, who like most other male Kabyles over twenty has worked in France, is an example of the new Moslem elites that the French are promoting to take the place of wealthy landowners and bourgeois intellectuals won over to the nationalist rebellion. Though looked on as traitors by the nationalists, these new French protégés, at least the Kabyles among them, are a quite different breed from the traditional *Beni-Oui-Oui,* or North African Uncle Tom, as their protectors are increasingly discovering with a mixture of pride and irritation.

"All right," said the man from Tizi-Ouzou, taking out his notebook with a sigh. "I don't know where we'll find the money, but I'll try to get you an engineer. Anything else?"

"Yes," he answered firmly after a pause. "We need an electric refrigerator in the dispensary."

"A refrigerator in Tikobain? What for? So you can serve your guests ice water with their *pastis*?"

"No, for the children's milk. The army doctor says they need milk."

"They've got along without it for at least three thousand years."

"Yes—but until now they never had French doctors to tell their mothers they needed milk. You French are always complaining that our women are too traditional. Well, we've got women in Tikobain now who want a refrigerator. You should be happy."

Getting back into the car, the French administrator turned to me with a wry grin. "The devilish part of it is, the mayor is right," he remarked. "The more you do for these people, the more you have to do for them."

French officials in Algeria are discovering from hard experience this basic law of modernizing reform in backward societies, and it has some sobering implications for the advanced ones. The very scale of what the French like to call their "social investments" in Algeria throws a cruel light on the bargain-basement idealism and oversimplified political strategy that underlies much of the rhetoric heard around U.N. committee rooms and such policies as the Eisenhower Doctrine for the Middle East. According to a budgetary analysis prepared for me by statisticians of the Government General here, France is currently spending on "social investments" in Algeria alone nearly as much as the annual budget of the Eisenhower Doctrine allots for the whole Middle East and North Africa. Nevertheless, as my visit to Tikobain suggested, such amounts are inadequate to achieve even the limited objectives the French have set themselves.

The Blessings of Progress

No doubt the French have increased their own difficulties by earlier political blunders in Morocco and Tunisia and by their stubborn refusal today to recognize the existence of an Algerian national spirit. But deeper and more disturbing factors appear to underlie the explosion of primitive hatreds—not all of them directed against French colonialism—that the Algerian rebellion has touched off.

The French have boasted—and sincerely believed—that their presence in Algeria was rapidly bringing the blessings of progress to a benighted land. Statistics appeared to bear them out. Every year more and more Moslems in Algeria lived longer and better, more and more little Moslems learned to read and write, more and more French francs piled up in Moslem bank accounts. Only in the last few years has sophisticated analysis of the data brought to light the economic paradox and the complex social emotions they covered over. In Algeria—and undoubtedly in other undeveloped areas, especially in the Middle East—only part of the population has benefited from the blessings of progress.

According to official French estimates, about 1,300,000 Moslems out of 8,500,000 enjoy cultural and liv-

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ing standards roughly comparable to those of the less prosperous among the 1,200,000 Europeans in Algeria. This favored Moslem group becomes more favored every year. The remaining 7,200,000 Moslems, most of whom have an annual income well below $200, are officially described as living under the traditional tribal economy. It is more accurate to call them rural slum dwellers.

In many geographical areas, and in most respects except public health, the living standards of this underprivileged majority—for whom the new French program of "social investments" is primarily designed—have been going down as those of the favored Moslem minority went up. In recent years, thanks to a birth rate as high as any in the world, to the pre-emption of the most fertile land by rich European and Moslem farmers, to the overgrazing of the remaining tribal lands, and probably to the slow advance of the desert, the decline has become dramatic.

Germaine Tillion, a French anthropologist, sociologist, and former Resistance heroine whose studies of the Algerian tribal milieu are largely responsible for the French government's new-found awareness of the problem, returned in 1954 to the savage Aurès Mountains of northeast Algeria, the birthplace of the present rebellion, where she had done field work for six years before the war. She found the growth of hunger, malnutrition, illiteracy, overcrowding, and general misery among the mountain Berbers so shocking that she coined the word *clochardization*—degradation to tramp status—to describe the social decay that has taken place in recent years throughout much of the Algerian hinterland and elsewhere in the Middle East.

Hunger and Error

The day I visited Tikobain, my French guide drove me to another self-governing Kabyle community higher in the mountains, where the colorful fortnightly market was in full swing under the eucalyptus trees. Strolling past the butchers' stalls with the local mayor, the French administrator asked him why no vendors were selling the succulent skewers of charcoal-roasted lamb that are a popular tidbit throughout the Moslem world.

"I remember seeing them at the markets when I was a boy," the mayor replied, "but now there are too many mouths to feed. A Kabyle who ate even a few scraps of meat by himself instead of taking them home to share with his family would be considered so selfish that his whole village would feel ashamed for him. Many families up here only see meat once or twice a month, if then."

According to Germaine Tillion and other thoughtful French students of Algeria, throughout much of the hinterland the Moslem masses live so close to the edge of real hunger that their main craving is for coarse cereals, date flour, and other filling but not always nutritious foods. When per capita consumption of grains drops in a Moslem village, the French know that the villagers are making enough economic progress to switch in part to such luxury foods as meat, butter, and sugar—unless, of course, there is a famine. At the time of my visit, one seemed to be impending in the Aurès. The French were distributing free grain in the "pacified" villages, while up in the *Fellagha*-infested highlands juniper-berry pancakes were fast becoming the standard ration.

Clochardization can rarely be traced to colonialist exploitation. But it is partly due to the haphazard pattern of French-inspired economic progress in Algeria, and sometimes it is actually aggravated by disinterested but misguided efforts of French administrators to raise Moslem living standards.

"We made a big mistake when we encouraged the nomads in this area to settle down and cultivate the land," a top official in the newly created Department of the Aurès confessed to me, "but it looked like a progressive step at the time. Now we see the soil is too poor to support the growing population and that we would have done better in trying to improve their flocks."

The psychological aspects of *clochardization* are even more devastating than the economic ones. As in most underdeveloped territories, colonial or self-governing, the traditional tribal order of society—which is particularly rigid in the Moslem world—has been disintegrating in Algeria under the impact of twentieth-century technological civilization, producing grave psychological tensions. The clash has been especially violent here because the contrast between two ways of life has stood out more sharply than elsewhere.

Two of the poorest, most traditionalist, and in many ways most primitive tribal areas—the Kabyle Mountains and the Aurès—have been the most intensely exposed to the French version of modern civilization. A French administrator in the region said to me, "Every civilization in the last twenty-five hundred years has swept through the Aurès, and none has remained." But these mountains have been infected with the virus of modernity through the large number of noncommissioned officers their warrior tribes have supplied to the French army. The almost equally backward Kabyle Mountains produce the bulk of the

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Algerian workers in the great cities and industrial regions of France. Nearly half of the adult Algerian males have worked in France at some time, and among the Kabyles the proportion is higher than two-thirds. It is not surprising that the Aurès and the Kabyle Mountains have been the two main bastions of the nationalist rebellion—spiritually as well as topographically.

The rural Moslem masses "have progressively lost both the material possessions and the spiritual values of an archaic society without acquiring the educational standards and technical skills of twentieth-century man," declares Mme. Tillion in her pamphlet "*L'Algérie en 1957*." "They are caught between two worlds . . . haunted by the past, fevered with dreams of the future, but with their hands empty and their bellies hollow, alone with fevers and their phantoms. . . . As an old Kabyle said to me: 'You've led us to the middle of the ford and then left us there!' "

Anger and Pacification

In Mme. Tillion's view the emotional condition of the rural masses stranded in "the middle of the ford" underlies at least the more extreme manifestations of Moslem nationalism, and explains the peculiarly atrocious nature of colonial conflicts like the present one in Algeria. She compares the barbarous fanaticism of the *Fellagha*—dramatically illustrated by the massacre of the whole male population in the Berber village of Melouza—with the atrocities that marked the wars of religion in Europe at a time when much of the West was likewise caught in the middle of the ford between two types of civilization. Many French officials gloss over the authentic national aspirations of the westernized intellectuals represented in the top leadership of the rebellion, viewing the whole movement as a kind of Islamic Mau Mau.

The new French economic and social reform programs, which coexist with ruthless methods of repression under the general heading of "pacification," reflect a conscious, vast, imaginative, and probably quixotic attempt to help the uprooted and pauperized Moslem masses of Algeria over to the twentieth-century bank of the ford. With the exception of the Soviets in Central Asia—whose methods the French are not consciously trying to imitate—no colonial power has ever before dared to set in motion such a sweeping social revolution.

Though the French planners responsible for charting this revolution

count heavily on the eventual industrialization of Algeria, thanks to the oil and natural gas of the Sahara, they explicitly reject the view which so often conditions thinking about the problems of undeveloped countries: that industrialization, or indeed any form of economic development, will automatically effect the desired rise in cultural and educational standards. Some agree with Mme. Tillion's controversial theory that under conditions similar to those now prevailing in Algeria, investments for economic development tend, unless compensated by equal investments in social welfare, to make the native rich richer and the poor poorer, thus accelerating the process of *clochardization*.

Others stress "demographic inflation" as an argument against viewing industrialization as a panacea. With the Moslem population increasing at a rate approaching three per cent a year—and the rate itself tending to climb—there will be at least a million new mouths to feed in Algeria four years from now. No likely program of economic expansion in Algeria can hope to keep pace with this population expansion, the French planners say. Therefore, they argue, cultural and general living standards must be artificially raised without waiting for industrialization to take hold, in the hope that the birth rate will taper off as it has in the West.

Though the French reform program involves stimulating and assisting the construction in the new communities of roads, wells, public buildings, and other facilities of economic or administrative value, and though the establishment of agricultural extension services and the heroic struggle to check soil erosion have been accelerated since the outbreak of the rebellion—despite constant sabotage by the *Fellagha*—the major emphasis is on health, housing, education, and other forms of social welfare, and on fostering grassroots democracy.

Young Men Try Hard

To the foreign visitor the scale of the French reform effort throughout Algeria is impressive. So is the enthusiasm of the young French military or civilian administrators, experts and teachers who are working on it, at the risk of their lives, in stinking, murderous city slums or lonely villages of the *Fellagha*-infested interior.

"What an opportunity for French youth!" exclaimed a Paris university student I met in one of the worst Algiers slums, where he was serving as a volunteer social worker.

"This is a wonderful life here," said the young administrator who guided me through the Kabyle hills. "You get to try your hand at everything. And you work with people instead of shuffling papers."

I heard similar sentiments from all the SAS (Special Administrative Section) officers I met throughout the parts of Algeria I visited. These men, who function on occasion in every imaginable capacity from midwife to political commissar, constitute the backbone of the French program for lifting the pauperized Algerian masses across the ford. More than five hundred SAS stations now exist.

The revolutionary spirit in which the SAS officers and the civilian administrators who are in contact with the masses tackle the problem of stimulating social reform is as striking as their enthusiasm. They clearly look on Islam as a decaying social order and boldly criticize or deride the surviving aspects of tribal culture. I occasionally overheard good-natured but rather questionable ribbing of Moslem religious doctrines

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and practices. The miserable status of Algerian women—which actually reflects the corruption of orthodox Moslem doctrine—is a favorite target of the French reformers.

"We can't explicitly urge the women to take their veils off," one French official told me, "but give us a few years and we'll have them living just like our women."

Land reform, a particularly vital element in the French program, has not really got started. Resistance of the shortsighted European *colons* to expropriation of irrigated land, juridical complexities, and technical difficulties of various kinds are partly to blame, but the main snag is the threat of the nationalists to cut the throats of any Moslem farmers who accept grants of land under the government program. This factor is tending to push the land-reform program, contrary to its original intent, in the direction of state farms on the Soviet model.

The French struggle to check the growth of illiteracy in Algeria has been more successful. In 1956 the French civilian authorities here opened a daily average of three new school classes, and this year they are doing even better. The army for its part has succeeded in enrolling 23,592 children in 342 army-run schools—often improvised tent classrooms with volunteer French soldier-teachers.

"These Kabyles are the best pupils I've ever had," one of them told me. "They seem to have a passion for learning. They send me their girls as well as the boys, and I've even rounded up fifteen grown men for an adult-literacy class I've started."

There are now 313,000 Moslem children—as against 143,000 European ones—enrolled in French-run schools in Algeria in spite of nationalist attempts to sabotage this program by proclaiming a school boycott and burning down schoolhouses. And if the French can maintain the present rate of progress in opening new schools they will hold illiteracy at its existing levels—somewhere near seventy per cent of the Moslem population. But to give instruction to all the little Algerian Moslems who are of school age today, the French would have to recruit forty thousand additional teachers—an obviously impossible goal that vividly underscores the immensity of the social problems in the underdeveloped regions.

The program of municipal reform has likewise achieved some measure of success. Out of the 1,461 new Algerian communities, 960 are in principle fully self-governing (the remainder are being prepared for eventual self-government by SAS officers) and eighty per cent of them have Moslem mayors, or at least municipal councilors. Three provisional regional assemblies with Moslem participation have also been set

up. Even though the casualty rate among Moslems who accept office runs at about four per cent a year, their number seems to be growing. More and more *harkas* (Moslem home-guard units) are being armed to protect them. The local elections that have taken place under French supervision are hardly models of democratic procedure, but apparently they give the Moslem population some sense of participation in local government.

The End Is Not in Sight

In the broader political field the results of the French reform programs are uncertain. There is some evidence that they have served to crystallize among the Moslems a greater awareness of Algerian dependence on French budgetary and technical assistance and a growing hunger for progress. The nationalists, who have developed a clandestine administrative structure parallel to the official French one, down to the village level, are trying to minimize the political and psychological gains of the French by copying their social programs.

The psychological impact of the French reforms would undoubtedly be greater if it were not compromised by the extreme harshness of the French methods for repressing terrorism, notably the widespread use of torture and the numerous summary executions disguised as "disappearances" or "shot while attempting to escape." Moreover, in avoiding the common error of identifying the pauperized masses in a colonial territory with the educated and privileged native elite, the French may have gone to the opposite extreme of treating the majority of educated Moslems as enemies. Instead of trying to promote a more moderate form of Algerian nationalism than that represented by the F.L.N. (National Liberation Front), they appear to be exploiting the latent or actual cleavages in Moslem society to divide their enemies.

On the basis of all past experience, the French attempt to fight nationalism and neutralize the magic in the word "independence" with social reform and economic progress should be doomed. But no people in colonial history has been as economically dependent on its colonizers as the Moslem community of Algeria is on France. Without French capital, French managerial and technical skills, and French markets—especially the labor market—Algeria is doomed not just to stagnation but to famine. If the French have to withdraw from Algeria, their successors in all probability will not be one of those "western-oriented Moslem nationalisms" to which our State Department remains dreamily attached but the Soviets—after a period of revolutionary chaos.

Whatever the final outcome, France's tragic difficulties in Algeria are a reminder to other civilized powers that those peoples all over the world whom history has left stranded in "the middle of the ford" represent a challenge that cannot be met just by salvaging or berating colonialism.

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Habib Bourguiba: Revolution and Responsibility

CLAIRE STERLING

TUNIS

Tunis has replaced Cairo as the logistical, administrative, and diplomatic capital of the Algerian revolt. This is a momentous change. It may ultimately prove to be a change for the better as far as the West is concerned, but as of now it has produced painful consequences for France.

A year ago, when the independent state of Tunisia was only a few months old, Premier Habib Bourguiba assured the French that any outright assistance to the Algerians would be "unthinkable." Today the Algerian Army of National Liberation maintains training and rest camps all along the Tunisian side of the border, the leaders of Algeria's "External Delegation" make their headquarters in Tunis, and arms of all kinds, from machine guns to heavy artillery, are crossing the Tunisian frontier into Algeria. General Raoul Salan, the top French military commander in Algeria, may exaggerate when he says that without this aid the revolt would "dry up." But so long as the aid continues, there are no prospects of the revolt's drying up at all.

Presumably, the French should be comforted by the fact that it is no longer Nasser but the friendly, educated, temperate, pro-western Bourguiba who is priming the war, and to a certain extent they are. They are irritated by Bourguiba's policy, they do not forgive it, they would like to change it, but they understand it.

Not even the most colonial-minded politician in Paris had ever seriously expected Tunisia to be scrupulously neutral in the Algerian war. The young Tunisian state is naturally grateful to France for its independence, and for the annual French subsidies of $100 million without which it would go bankrupt in short order. On the other hand, Tunisia and Algeria have 250 miles of common frontier; they have a common language—or languages, since French is preferred among their intellectuals—and a more or less common lineage; they have shared the same colonial ruler for a long time; and their joint subjection to that ruler has been geographically inescapable. "When France moved into Algeria a century ago, we knew our own fate was sealed," says the Tunisian Under Secretary of State for Information, Bechir ben Yahmed, "and so long as France stays in Algeria, we can never feel safe."

Accordingly, the French have taken it for granted all along that Bourguiba would do something modestly helpful for the Algerians—provide shelter for the refugees, say, or give medical care to the wounded, or look the other way when caravans of contraband arms passed through his territory. What they did not expect was that he would permit so many and such large rebel bands to train on his soil—at one point last winter, the rebel chief of East Constantine had more installations and top personnel in Tunisia than he had in Algeria—or that he would send his own national guard to escort the contraband caravans right up to the Algerian frontier under the nose of the French Army, or that he would boast of these undertakings as loudly as he has in public lately.

One has the impression, in talking with Bourguiba, that he is not entirely happy about these commitments. Unlike Nasser, he is not a professional anti-western *provocateur*. Having wrested his nation's independence from the French, his primary concern now is to develop the friendliest possible relations, particularly since he needs French financial help so badly. Furthermore, he has every reason to fear that if the Algerian war goes on much longer, it may spill over into Tunisia. While he may now be helping appreciably to prolong that war, he has been trying hard for a year to get peace talks under way; and he might have succeeded if the Algerian rebel leader Mohammed ben Bella had not been shanghaied by the French authorities last October, while flying to Tunis for just that purpose.

That arrest was the turning point in the Algerian war and Tunisia's relation to it. While ben Bella could not by any means be called moderate, he was far less fanatical than the man who succeeded him, and Bourguiba had talked him into opening negotiations with the French in a climate far more favorable to peace than any prevailing since. At that time the rebels were bargaining from relative weakness. They were still novices in large-scale warfare; they were far more disorganized than they are today; and since they were relying mainly on Nasser for help and guidance their cause had become so entangled with his that they could hope for little active sympathy from the West—notably from the United States State Department, which flatly refused to support the Algerian appeal in the United Nations. There was considerable chance therefore that ben Bella would end by accepting Mollet's proposal for a cease-fire and free Algerian elections to be followed by peace talks. Indeed, it was because the prospects were so good that the French *colons* engineered ben Bella's kidnaping.

Nothing could have been better calculated to stiffen the Algerians' resistance or to push Bourguiba into adding his to theirs. Even then he might have proceeded more cautiously. But directly after ben Bella's arrest came the British-French-Israeli attack on Egypt. As a consequence Nasser was in no position to give the Algerians his full attention—nor, because of his ignominious performance in the Sinai Peninsula, could he inspire the reverence among North African Arabs that he had enjoyed before. It was a great temptation and Bourguiba can hardly be blamed for yielding to it.

All through that fall, there was a lull in the Algerian fighting, while arms caches were transferred laboriously over southern desert routes from Libya and Morocco

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into Tunisia, and the National Liberation Front (F.L.N.) reorganized its leadership. In February, the F.L.N. chose Colonel Omar Ouamrane to succeed ben Bella, Ouamrane had a long talk with Bourguiba, and the fighting flared up more fiercely than ever, with Tunisia as the rebels' main external base.

Unity for the Maghreb?

It is hard to see how Bourguiba could have acted otherwise. Apart from the king of Morocco, who trails him at a considerable distance, he is the only personality with enough stature to organize and lead the twenty-two million Moslems inhabiting the two-thousand-mile North African coastline west of Egypt known as the Maghreb. He has long dreamed of unifying the Maghreb with himself at the head of it, and tying it to metropolitan France in much the same way that Canada, for instance, is tied to the British Commonwealth. No Moslem who persisted in remaining aloof from the Algerian conflict could claim such leadership. Had Bourguiba stood aside for long, he would not only have ruined his own chances but would also have left the field clear for Nasser, whose competition he fears and whose policies he dislikes intensely. Moreover, he might have seriously undermined his own position as ruler of Tunisia.

It would be absurd, of course, to say that Bourguiba's position is precarious. He is the undisputed leader of his country. It is, however, a very young and very poor country, much poorer now than it was under French rule, and too young to have attained great political maturity. Despite Bourguiba's popularity, there have already been attempts to overthrow him, most notably that of a religious fanatic called ben Youssef, who with money from Cairo (where he has now taken shelter) had organized a campaign of violence against him. The fact that this attempt failed doesn't mean there will be no others, especially since Tunisia's economic difficulties at the moment are immense. Bourguiba could not afford, therefore, to leave any propaganda openings for Nasser's agents, nor could he afford to offend the nationalist sensibilities of a people for whom the Algerian uprising is as natural a concern as the life or death of a father or brother.

Apart from these general considerations, there was the specific one of what to do with the Algerians streaming over the frontier. Of the 200,000 now in Tunisia, about half had drifted in before the uprising began. Among the rest were authentic refugees whose villages had been razed; those who were fleeing recruitment by the F.L.N. or the rival National Algerian Movement (M.N.A.), or extermination by either; those who were wanted by the French police; and those fighters in search of medical care, rest, or military training on safe terrain.

For a country with about five hundred thousand of a total population of 3.8 million unemployed, the civilian refugee problem alone was crushing. Most of these people arrived penniless and huddled miserably in wretched villages. Those who brought any money soon lost it to rent gougers, and those with no money soon turned to the only visible means of getting any—black-marketing and gunrunning. The effect on the local populations can be imagined.

Fellagha and Finesse

Far more serious, however, were the irregular bands of Algerian *Fellagha,* which were living off the countryside in fine terrorist style and obeying nobody's rules but their own. The F.L.N., whose authority inside Algeria was far from undisputed and whose internal affairs were in monumental disorder, had little or no authority over these bands. Neither did the Tunisian government, for which they were an increasingly ominous threat. Since none of them had any regular sources of supply, they procured their arms by hijacking and their food at gunpoint. Many, too, were fanatics who would have liked nothing better than to engulf all North Africa in the war. Accordingly, *Fellagha* chiefs were trying, with growing insolence, to blackmail Bourguiba into providing for their maintenance, by threatening to launch a terrorist campaign not only against the French *colons* in Tunisia but against Bourguiba himself.

The only Tunisian military forces available to cope with this were a thousand-man battalion organized by the French soon after independence, a small national guard set up late in 1956, and a police force turned over to the Tunisians in the summer of 1956 but not yet "cleansed" of its Corsican and French officers. Bourguiba could not rely on so inadequate a force to protect himself and his country's internal security from the *Fellagha* menace; and he would not turn to the French for protection as the king of Morocco had done. Instead, he turned to the F.L.N.

The agreement between Bourguiba and Colonel Ouamrane was reached around the end of last April. Under its terms, Bourguiba recognized the F.L.N. as the sole official fighting force in the Algerian war, allocated specified areas to its cadres for training and rest camps, and undertook the exclusive management of all contraband arms traffic crossing Algeria's eastern border. In exchange, Ouamrane promised to provide whatever military strength might be needed for Bourguiba's protection inside Tunisia.

The arrangement was mutually beneficial. Bourguiba averted—narrowly—a terrorist campaign against the French *colons* in Tunisia that would have embarrassed him immeasurably. He also ensured his own and Tunisia's political safety on what, by Arab standards, were hon-

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orable terms. And he became a hero for the F.L.N. fighters. The F.L.N., for its part, was now assured of safe and steady arms deliveries, and a more or less complete embargo on such deliveries to its rivals. It could thereby establish its authority in the Aurès-Nementcha, and get the upper hand over the irregular *Fellagha* bands in both Algeria and Tunisia.

Within a month after the deal was made, all but one of the *Fellagha* chieftains in Tunisia had gone over to the F.L.N. The last to hold out, Taleb Belarbi, was taken by the Tunisian Army on June 19.

WHILE both the Tunisians and Algerians were pleased by these developments, the French were outraged and dismayed. They did nothing for some weeks. But in late May, French troops stationed in southern Tunisia spotted a contraband arms caravan at Beni-Gadan, and advised the local governor of the fact. The governor's response was to dispatch the Tunisian national guard, which escorted the caravan to the Algerian border, whereupon Premier Guy Mollet abruptly announced in Paris that all financial aid to Tunisia would be suspended.

Mollet, who made this announcement a few hours before his cabinet fell, had evidently made it in a last-ditch effort to appease the "tough" independents in the Chamber of Deputies. While he failed in that, he almost succeeded in bankrupting the Tunisian government, which, with its treasury practically empty, had been expecting the first slice of a new fifteen-billion-franc loan only two days later.

In spite of this blow, Bourguiba didn't yield. A few weeks later, however, the French did. Not only did the new Bourgès-Maunoury cabinet restore the credits that Mollet had suspended, but it announced that France would withdraw fifteen thousand of the twenty-five thousand troops still on Tunisian soil. Bourguiba had been pressing for this almost from the day his country became independent in March, 1956, and he could not fail to be gratified by such an unexpectedly generous concession. But as far as anyone knows, he did not make a secret deal with the French to get it. "We have not bargained with Bourguiba on this," says an authoritative French spokesman in Tunis. "He dislikes bargaining and thinks it contrary to his honor. We have simply told him frankly that we are ready to regroup our forces, and that an orderly withdrawal will take place. Now, it's up to him to act responsibly in return."

The Friend and the Brother

If the French mean by acting responsibly that Bourguiba should retreat to a position of strict neutrality, they are bound to be disappointed. What they might reasonably expect is that he will alter his present policy so as to satisfy the Algerians enough without irritating the French too much.

If that might not be sufficient from the French point of view, it would still leave France in a better position than she was in a year ago, when the Algerian "External Delegation" was meeting in Cairo. Not that Nasser has lost all his former influence among the Algerians. He is still admired in rebel circles and is still supplying a good portion of their arms—largely selected, these days, from the military stores that the British left behind in the Suez Canal Zone. But he is very much the second man now. "Where we regard Nasser as our friend," says a leader of the External Delegation in Tunis, "we think of Bourguiba as our brother."

"NASSER may hate us and Bourguiba may not," one Frenchman told me, "but the rebels are still getting as many arms as they ever did, if not more." Nevertheless Bourguiba is helping the rebels, as he has pointed out recently, so as to "avoid anarchy, Communism, feudalism, and fanaticism" in North Africa—just the opposite of what Nasser had been doing. This is a change for the better. And the French themselves may sometime learn how to take advantage of it.

Between the Saudis And the Sharks

RAY ALAN

GUARDED on the east by forbidding cliffs and reefs and a shark-infested sea and to the west by the sand ocean of Arabia's vast Rub el-Khali ("Empty Quarter"), the Sultanate of Muscat and Oman has very little contact with the outside world. It sends no diplomats abroad and even the Arab League states are unrepresented there. Three years ago, when a mission accredited by the iman of Oman arrived in Cairo to request Oman's admission to the Arab League, employees of the League secretariat and even a delegate to the supreme Arab League Council asked them rather tactlessly: "But where *is* Oman?"

Sheik Ibrahim et-Tafeeshi, a member of the mission who stayed on as the iman's "ambassador" to Egypt, has never quite forgiven the Arab League for this affront. A solemn, bearded man in a white turban, he has acquired the standard Arab League idiom. "Aggressive British imperialism" is trying to crush Oman's "struggle for national liberation" and force upon Oman a puppet ruler, the sultan of Muscat, "whom no Omani recognizes." Omanis acknowledge only one sultan and king, the Imam Ghalib.

Has the Imam Ghalib a full-time army? "Of course. Thirty thousand men—and reserves of half a million." (The total population of Muscat and Oman is estimated at around six hundred thousand.) But there are no officers. "Our soldiers train one another."

Is the imam an absolute ruler? In an Omani context the question is meaningless. "Our constitution is the Koran. We have a supreme council of religious notables—cadis and

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ulemas—and tribunals of Moslem law." No civil lawyers? "Heaven forbid!"

One begins to warm to Oman. Does the imam permit political parties? "Of course not." Newspapers? "No!" Cinemas? "Horror!" What entertainments do Omanis enjoy? "Entertainments? God forbid!" What sort of schools are there? "Religious elementary schools for boys." Are girls allowed to go to school? "Thanks be to God, no!"

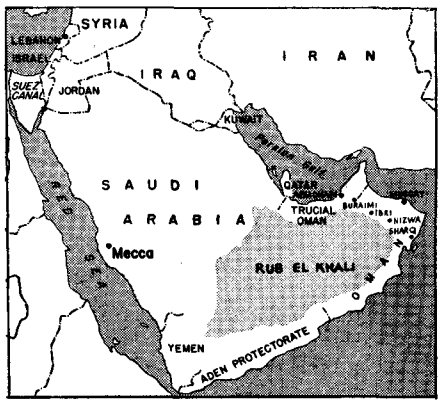
And now, oil. "We are convinced," says Sheik Ibrahim, "that our country possesses oil reserves as rich as those of Kuwait. But we will not allow foreign prospectors to exploit our oil because foreigners are either Christians or Jews, and Christians and Jews are not admitted to Oman . . ."

Aramco and I.P.C.

For beginners, the imam's propagandists have done remarkably well. Seconded by Cairo and Moscow and the Saudis, they have succeeded in inflating their leader's feud with the sultan of Muscat to international dimensions; and many western commentators—overcome by the smell of oil and bored anyhow with Britain's incessant scuffling in the Near East—have followed their lead. In Paris, for example, over a front-page editorial on Oman that was riddled with factual errors, *Le Monde* even ran the headline: UN DEUXIEME SUEZ? And *L'Express* sketched in the background thus: Three years ago the Iraq Petroleum Company (I.P.C.) "penetrated secretly" into Oman, forcibly expelled Aramco (the Arabian-American Oil Company), chased out the imam, and then, "supported by armored cars and an R.A.F. squadron," took over the oasis of Buraimi, "to which King Saud had at least as good a title as the British"! Now "financed by Aramco," the imam is seeking his revenge.

British officials closely concerned with the Oman crisis are emphatic that no evidence has been unearthed to suggest that the imam's revolt was "financed by Aramco." Nor is it true that large quantities of American arms and equipment have been passed on to the imam by the Saudi army. He does indeed possess three or four pieces of American artillery—most fearsome of which is a brass 24-pounder dated 1842—but has sufficient modern rifles and automatic weapons to equip only about two-thirds of his estimated five or six hundred fighting men. On the other hand, the Saudis have certainly backed the imam financially and politically.

Oman's basic problem antedates Aramco-I.P.C. rivalry by twenty years. Its kernel is a strictly local contest for the allegiance of the unruly tribes of the highland and desert-fringe interior. The present titleholder, the forty-seven-year-old sultan of Muscat, Sir Sayyed Said bin Taimur bin Feisal al Abu-Said, G.C.I.E., succeeded to his throne in 1932. The challenger, the Imam Ghalib bin Ali al Hannai, ably seconded if not actually dominated by his ambitious younger brother Talib bin Ali, claims descent from an early apostle of Oman's Ibadhite faith. He was elected in 1954 by a council of sheiks (which may depose him if his conduct displeases them).



Throughout the nineteenth century the imamate was tacitly assumed to have lapsed. But in 1913 rebellious tribesmen elected a new imam, who established himself in the great round fort at Nizwa and in 1915, encouraged by the Turks, laid siege to Muscat. Thereafter only British support and the loyalty of his Indian and Negro subjects (who make up ninety per cent of the population of the coastal towns and villages) saved the sultan. In 1920 the British political agent at Muscat negotiated a truce between sultan and imam under which the latter and his followers were granted local internal autonomy while remaining under the *de jure* sovereignty of the sultan. The balance thus struck survived until the election of the Imam Ghalib in 1954 and his agreement the same year to abet the Saudis in their designs on Buraimi.

BURAIMI is a well-watered date-palm oasis, six miles wide, containing a massive square mud-brick fort and nine palm-leaf-and-mud villages, the largest of which (Buraimi proper) is in normal times an important slave market. Three of these villages belong to the sultanate of Muscat and Oman and six to the Persian Gulf sheikdom of Abu Dhabi. Irrigation canals bring water to Buraimi from hills on the Oman side of the border, and all trade is with Oman and Abu Dhabi. Its links with the Saudi kingdom, from whose settled areas it is separated by the Rub el-Khali, are tenuous. In Anglo-Saudi discussions on Arabian border problems between 1935 and 1940, King Ibn Saud, while seeking to add several hundred square miles to his territory in other sectors, himself fixed his frontier 150 miles to the west of Buraimi.

In the late 1940's, however, the Saudis smelled oil in the area; and in 1952, in defiance of pledges given to the British government just the year before, they occupied Buraimi by force. The British dissuaded the sultan of Muscat and the sheik of Abu Dhabi from taking military action to expel them, but a series of minor skirmishes occurred; and after lengthy diplomatic haggling the dispute was taken before an arbitration tribunal in Geneva in September, 1955. The tribunal had five members: one representative each of Belgium, Cuba, Pakistan, Saudi Arabia, and Britain.

Britain's evidence showed that Buraimi notables were being paid a thousand dollars a month as the price of their allegiance to King Saud (hence the latter's uncharacteristic demand that Buraimi "decide its own future" by plebiscite).

While the Geneva tribunal was still examining Britain's witnesses, it received even more intimate insight into Saudi ethics. Sheik Yusef Yassin, the Saudi member of the tribunal, was discovered to be attempting not only to influence witnesses in his monarch's favor but to bribe the neutral arbitrators. The tri-

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bunal's Belgian president and Cuban and British members resigned, and the following month—October, 1955—the forces of the sultan of Muscat and Oman and the sheik of Abu Dhabi reoccupied Buraimi with British support and chased the Saudis out. In the course of the operation a large number of documents were captured from the Saudis and their supporters that provided added confirmation of Britain's earlier charges and material for several new ones. The British Foreign Office has let King Saud know that it will publish them, and thus knock the stilts from under his prestige in America as well as the Near East, if he ever resumes his intrigues at Buraimi.

The Smell of Oil

By the time Ghalib bin Ali was elected imam in 1954, a number of Omani sheiks had allowed the Saudis to bedazzle them; and the ambitions of the new imam, and his brother Talib, appear to have been stimulated by Saudi coaxing. Moreover, rumors were circulating in sheikly circles that oil had been detected in Dhofar (southernmost part of the country) and the Jebel Fahud (central Oman). The sultan had granted prospecting rights in Dhofar to a subsidiary of two American companies, and a concession covering the rest of the country to Petroleum Development, Ltd. (Oman and Dhofar), a subsidiary of I.P.C. (It may be useful to recall here that I.P.C., although British-managed, is an international company in which British, American, French, and Anglo-Dutch interests have equal shares.) If oil were struck in commercial quantities, it would be the sultan who would collect the royalties and fifty per cent of the profit; in this case, the imam's following might tend to melt away.

King Saud's efforts to push back the frontiers of I.P.C.'s operations and advance those of Aramco consequently found favor with the Imam Ghalib—the more so since a Saudi emissary offered him a generous subsidy, arms, and diplomatic support for the establishment of an Omani state independent of Muscat. In return he was to block I.P.C. prospecting in the area and protect the Saudis' right flank by harassing whatever troops the sultan of Muscat might try to send across central Oman to Buraimi. The imam agreed, and in the fall of 1954 seized Ibri, a town covering the main southeastern approach to Buraimi, and attempted to hamper the activities of I.P.C. prospectors in the area.

Tribesmen loyal to the sultan, aided by the I.P.C. men's armed escort, speedily ejected the imam from Ibri, but the Saudis were apparently impressed by his initiative and began paying him a substantial monthly subsidy. Shortly afterward, his brother Talib and Sheik Ibrahim et-Tafeeshi went to Cairo to request Oman's admission to the Arab League. The Saudi and Egyptian representatives on the League Council supported the request, describing Oman—in defiance of history—as a sovereign independent state over which the sultan of Muscat had no legitimate authority. Iraq, however, upheld the sultan's rights, and as a compromise it was decided finally to support the imam's struggle against "British imperialism" while shelving his request for League membership.

Throughout 1955, the imam collaborated loyally with King Saud, counterpointing the latter's periodic allegations of "British atrocities" at Buraimi with complaints of "British aggression" against Oman. It was inevitable that once the Saudis had been cleared out of Buraimi the sultan of Muscat should be given British assistance in deflating the imam. As it happened, little assistance was needed. At the approach of the tiny (350-strong) Muscat force, the imam slipped out of a back window of the Nizwa citadel and his sheiks stood in line to kiss the sultan's hand. By Christmas, 1955, the sultan's authority had been restored throughout central Oman for a total expenditure of ammunition—by both sides—of one round.

Venoms and Red Flags

The effective organizer of this summer's rebellion was not the imam but Talib, who, while no less willing than his brother to collaborate with King Saud, is reportedly attracted by the political possibilities in southeast Arabia of a Cairo-type amalgam of traditional xenophobia and militant nationalism. In Cairo recently a member of Talib's entourage claimed for the imam a "kingdom" of three million subjects, a figure that could only be approached by taking in the whole of the British-protected Hadhramaut (Eastern Aden Protectorate) and Persian Gulf sheikdoms; and, significantly or not, Egyptian newspapers that up to two years ago supported King Saud's claim to Buraimi now allot the oasis to the "Kingdom of Oman."

The timing of the recent revolt was shrewd, because British official ranks in the region are depleted by summer leave. If for this reason Britain had delayed its response to the sultan's appeal for support, the whole of central Oman and the coastal province of Sharqiya, south of Muscat, would undoubtedly have declared for the imam. Talib's overnight capture of Nizwa and his impressive use of land mines and automatic weapons to ambush units of the sultan's Oman regiment near Ibri convinced a majority of the most influential sheiks in the region that Allah as well as King Saud was with him.

Rocket-firing R.A.F. Venoms arrived just in time to stem a floodtide of defection. In the first week of August, R.A.F. pilots—ordered to make as much noise as possible while doing a minimum of damage—reported that loyalist red flags were unfurling over one rebel stronghold after another. British ground troops were meanwhile relieving Muscat forces and Trucial Oman scouts of garrison duties at Buraimi and elsewhere for another march on Nizwa. The sultan's troops, better equipped than in 1955 and—thanks to King Hussein of Jordan—with more British officers, hit the trail to Muscat, and this campaign, like the last, was no more than a marathon motorcade.

But motorcade or not, it still left unresolved the over-all problem of Britain's relations with the small Persian Gulf states—and beyond that, of the sterling area's dependence on Middle Eastern oil. Only British support has enabled the oil sheikdoms to hold out until now against Saudi expansionism. If British support were to waver, the sheikdoms would rapidly be forced to come to terms with the Saudis—and, as the Buraimi episode made clear, the terms would be King Saud's.

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The Hopes and Obstinacy Of Harold Stassen

CHALMERS M. ROBERTS

PRESIDENT EISENHOWER in June described Harold Stassen as "a man who works hard, does his homework, is dedicated to his job." Although some of the reporters listening to that description had just been told by members of the President's official family that Stassen had been chastised with Mr. Eisenhower's approval, the President went on to do what he had to do if he was going to keep Stassen on the job.

Mr. Eisenhower denied that his disarmament aide had been "reprimanded" for making personal contact with Soviet delegate Valerian A. Zorin in London, though he conceded that "there was some feeling that maybe he was rushing too fast." The President added: "I don't think his usefulness is ruined."

The fact is that Harold Edward Stassen, the former youthful governor of Minnesota, now fifty, came very close to having his usefulness ruined. What is far more important, however, than Stassen's future role in government is the violent storm that raged for months over American disarmament policies within the Eisenhower administration.

STASSEN has been a convenient whipping boy and his well-meaning misstep represented an opportunity for the enemies of the policies for which he was fighting to gang up on him, something far easier to do than to question the judgment of the President who had approved those policies. From what has leaked out of the Eisenhower family row, it seems a fair statement to say that Stassen has been more sinned against than sinning. Strong and important men have been fighting over policies that deeply affect, or could affect, the national security. If somebody other than Stassen had happened to be the President's chosen negotiator, the fight doubtless would have taken place anyway. But it almost surely would have taken a different course, because Harold Stassen is a unique individual.

He is a glib but highly intelligent man who suffers from the most obvious case of Potomac Presidential fever seen in Washington in a long time. His sometimes bland, sometimes irritating manner has infuriated newsmen for years; he has never been heard to answer a question with a simple "I don't know" or to concede that "I was wrong." He has an answer for everything, and the logic of some of his replies at times resembles the dialectics of the Soviet delegate he faces across the London United Nations Disarmament subcommittee table.

But above all, Stassen is a dogged and stubborn man. He will fight for his position to the point of absurdity, as he did in his "dump Nixon" campaign a year ago. If he has to make a 180-degree turn, he will do it without conceding that anything has changed.

After all this and a lot more is said, it must also be said that without Stassen it is doubtful that the East-West disarmament talks would have ever amounted to anything. For it was Stassen's trick of seizing on every Soviet policy turn, however minute, of refusing to be daunted by Soviet polemics, however bitter, that has made it possible to translate the Eisenhower generalizations on the necessity of a disarmament agreement into concrete proposals.

The Four Phases

To understand the battle that has swirled around Stassen, it is necessary to look at what has happened since March 19, 1955, the day Mr. Eisenhower eased Stassen out of the job of foreign-aid boss and made him Special Assistant to the President for Disarmament. From that time, events have fallen into four phases.

Stassen was immediately dubbed the "Secretary for Peace," a sobriquet which pleased him but soon died out. He settled down to his "homework," as the President was to call it later. He absorbed the details of the dismal postwar decade of fruitless East-West negotiations with a memory akin to the photographic. He assembled an able staff, got from them all he could, and then made his own decisions.

Stassen's first important accomplishment was to get rid of what had been official American policy for many years. This policy, written into National Security Council papers, provided that the United States would agree to no disarmament treaty unless it was to the "net advantage" of this country. It was not too difficult to convince a President who wants to meet the Soviets "halfway" without being "recalcitrant" or "picayunish," as Mr. Eisenhower later put it, that the "net advantage" approach meant only failure. In this move Stassen was backed by Robert R. Bowie, until recently the State Department's policy-planning chief and the man responsible for creating the post given Stassen in the first place.

The July, 1955, "Summit" Conference was the peak of this first phase of Stassen's disarmament career. After the President had sprung his electrifying "open skies" inspection offer, Stassen preached it with an evangelist's fervor to all who would listen. Originally, however, the "open skies" plan was brought to the President's desk by Nelson Rockefeller, then a White House assistant, without Stassen's knowledge (as far as I have been able to determine), though Stassen later claimed he was in on the big secret all along.

But America's allies on the U.N. subcommittee—the British, the French, and the Canadians—generally took a dim view of the "open skies" idea, attributing it in good part to the administration's Madison Avenue tendencies and suspicious of the implication of a Soviet-American Big Two attempt to settle the world's problems. Stassen didn't help, either, by attempting to negotiate an agreement with the Soviets alone. This first phase got nowhere, however, because Bulganin, Khrushchev & Co. ridiculed the Eisenhower proposal as nothing more than an intelligence scheme. And the allies were

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unhappy because Stassen all but ignored their own proposals for attacking the arms issue.

THE SECOND PHASE of Stassen's disarmament career was completely sterile. The October-November, 1955, Big Four Foreign Ministers' Conference showed that the "Geneva spirit" was a fragile affair indeed. The U.N. subcommittee talks had been making little progress and were adjourned when the Foreign Ministers' Conference opened.

The Soviet Union's arms deal with Egypt was still in the headlines and people began to forget about Stassen. Another U.N. subcommittee go-round in the spring of 1956 ended in failure. Finally the whole disarmament effort disappeared behind the gun smoke over Hungary and Suez. To top it all, Secretary John Foster Dulles, peeved at printed reports on a Stassen background news conference that seemed to imply a willingness to pull back American forces in Europe, got the President to transfer the Stassen operation from the White House to the State Department last March.

Stassen nevertheless set to work to win approval for some new proposals. This has always been a difficult task because the President hates to choose among his associates and cannot rid himself of the idea that men of good will can somehow reach the same conclusions if they are given sufficient time. At one point the Canadians asked and got a promise from Stassen to sit down with the allies before facing the Soviets at the U.N. talks. But every time Ottawa called Washington to ask when Stassen would be ready to meet, Stassen had to say "not yet," and there never was a meeting simply because Stassen could not get a Presidential decision. In the end, a decision was made only after Robert Bowie told Dulles he had to go to the President and get a decision or else the United States would look ridiculous.

THE THIRD PHASE of Stassen's disarmament career had begun with a January, 1957, Presidential decision to let Henry Cabot Lodge disclose at a meeting of the United Nations General Assembly's Political Committee a broadly worded five-point program. Stassen went to work on details of this program, which called for (1) an end to production of fissionable materials for weapons use, (2) advance notice and registration of nuclear tests with a vague promise of "ultimately" ending tests, (3) a 2.5-million military manpower limit for the United States and the Soviet Union, (4) some form of the Eisenhower "open skies" inspection proposal to guard against a nuclear Pearl Harbor, and (5) experiments in outer space to be "devoted exclusively to peaceful and scientific purposes."

Up to this point, and indeed until some time after the 1957 U.N. subcommittee meetings began on March 18, not very many people in the Eisenhower administration took the disarmament talks seriously. The same was true of most of our allies. But Harold Stassen had read every word uttered by the Soviets, fine-tooth-combed every Kremlin statement, and juggled every American idea to see whether he could somehow begin matching cards with the Soviets.

To this day it is impossible for an outsider to know what is in the minds of the Soviet leaders in terms of their desire, or lack of it, to reach a disarmament agreement. But the record does support the Stassen contention, one he has made all along—even in the darkest days of Hungary and Suez—that the gap was slowly getting smaller between the two sides.

The Soviets, for example, had started out by ridiculing the "open skies" proposal. But the Eisenhower idea won such acclaim in places the Kremlin was wooing, in India for example, that the Kremlin began to change its tune. In November, 1956, the Soviets grudgingly offered to "consider" aerial inspection for a European zone some eight hundred kilometers wide on each side of the Iron Curtain dividing Germany and along the German-Czech border. Stassen seized on this as vindication of his belief that the Soviets could eventually be brought to agree to some form of "open skies" inspection.

But even this did not cause any more than a flurry in Washington, because the Soviet offer was tied to a lot of other totally unacceptable proposals such as liquidation of American bases in Europe, an end to nuclear tests, a ban on use of nuclear weapons, and destruction of stockpiles of such weapons.

THAT WAS the situation when the fourth and current phase of Stassen's disarmament career began, by far the stormiest and most important. Two events suddenly gave life to the disarmament talks, brought expressions of "cautious optimism" from Dulles and of hopefulness from Eisenhower, and sent Stassen into excited activity and his opponents into action.

The first was the realization in Washington that both sides were agreed on trying for a first-step rather than an all-inclusive arms agreement—and an agreement without reference to outstanding political differences, chief among them the division of Germany. American policy was influenced by the view expressed to Washington by its then ambassador in Moscow, Charles E. Bohlen, that disarmament might be negotiable but Germany and eastern Europe clearly were not. The President began to emphasize and reiterate the "step by step" idea and the Soviets dropped their demand for complete "liquidation" of American bases overseas.

Next came the Soviet offers of April 30, 1957, (to open a big piece of Siberia to aerial inspection in exchange for inspection of Alaska and the United States west of the Mississippi) and of June 15 (to suspend nuclear tests for two or three years, rather than indefinitely, and to permit international inspectors inside the Soviet Union to check on the suspension).

From April through mid-July Stassen made three flying trips back to Washington. In each case he was the center of a storm that reveals much of the intra-administration battle over disarmament policies as well as over Stassen's way of conducting himself.

In early April, before the ground swell of hope became public in Washington, Stassen had accepted the Soviet idea of the sixteen-hundred-kilometer European inspection zone, provided its location was altered. None of the allies raised any objection even though Stassen's acceptance was duly reported in the

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press and despite the fact that the Soviet zone would apparently have covered all of Germany, much of France on the west, and part of the satellites on the east.

At this point Stassen had been given authority by the President to present privately to Soviet delegate Valerian A. Zorin, for what in government parlance is called "illustrative purposes only," the American idea of a European inspection zone. In fact Stassen went further: He sat down with Zorin and proceeded to lay out a specific pie-shaped zone from the North Pole down to forty-five degrees north latitude, and from five degrees to thirty degrees east longitude. In addition, he proposed a second zone including Alaska and a comparable part of Siberia.

When word of this reached Washington, Dulles hit the ceiling. He knew that our European allies, especially Chancellor Adenauer, would protest strongly because they had not been consulted in advance. Stassen's attitude has always been that disarmament is first and foremost a Soviet-American problem, a generalization in which the President has agreed. Dulles's view has acknowledged the Soviet-American primacy in terms of the military issues but accentuates the necessity of allied agreement on political grounds. His special regard for Adenauer and his fears of an Adenauer defeat this month make him hypersensitive on this issue.

Stassen came home for "consultation" and a visit to the President in Augusta, Georgia. There Press Secretary James C. Hagerty deliberately kept him from talking to newsmen. At this point the Stassen "illustrative" proposals were still secret. But on May 1, Radio Moscow broadcast them in detail as firm American offers along with the Soviet counterproposals of a Siberian-American zone and a European zone shifted farther into western Europe, from zero degrees to twenty-five degrees east and from fifty-four degrees north down to thirty-nine degrees thirty-eight minutes north. Dulles had to say at a press conference that Stassen's offers were official American proposals.

Stassen was back in London barely two weeks before he was called home again, this time to take part in a

major effort to hammer out an administration policy in the face of the apparent Soviet effort to meet the United States halfway.

The Admiral Sounds an Alarm

Two days after Stassen reached Washington on May 17, Admiral Arthur W. Radford, then chairman of the Joint Chiefs of Staff, sounded the alarm for those who opposed any agreement with the Soviets. He told newsmen that the United States "cannot trust the Russians on this or anything." It was at his next press conference that the President said the United States must meet the Soviets "halfway" and not be "recalcitrant," an obvious slap at the Radford extremists.

For several days the President tried to get a meeting of minds among his top assistants. Finally, after a long Saturday White House meeting on May 25, Dulles came out to tell reporters that the President had resolved the differences. At first blush it appeared that Stassen had won out, because Dulles said Stassen had been given "flexible" instructions.

But the story told later by insiders was very different. The Pentagon, especially in the person of Radford, was accused of bad faith by Stassen supporters. Atomic Energy Commission Chairman Lewis L. Strauss had sided completely with Radford. Apparently their tactic had been to agree with the President that Stassen should try to negotiate an agreement but to undercut it by making the American conditions as tough as possible. The President, who hates detail work, left many of the points of controversy unresolved.

Dulles won his point on a European inspection zone; none was to be offered without prior approval of the allied nations involved, Stassen's "illustrative" offer was shelved, no pressure was to be put on the Europeans to agree to a zone. Three days later, Adenauer at a Washington press conference said flatly it "wouldn't serve any purpose" to have Germany included in a first-step arms agreement via the inspection-zone idea. This was the kind of thing Stassen obviously had feared. The French, if they were to be included, began to talk of a zone running east to the Urals.

One administration official privy to the May 25 meeting suggested that Stassen "may go for broke with a couple thousand miles of water between him and Washington." That, in a way, is what Stassen did when he got back to London. In apparent fear that the Soviets would break off the talks because of the American backtracking, he met privately with Zorin on June 1 to present the "concept" of the May 25 decisions. He made the mistake of giving Zorin a written paper. That was all the allies needed. They set up a clamor and Stassen was called home for the third time to be reprimanded. And word of the reprimand was spread by administration officials.

At this point, mid-June, the muddle of American policy seemed about as complete as possible. Then on June 15 the Soviets came up with their test-suspension offer, and a new and even more violent intra-administration battle broke out.

As LATE as April 27, Dulles had formally told the Japanese government that our nuclear-weapons testing must not end until after controls over production of fissionable materials and the beginning of stockpile reduction "have been achieved." But the pressures on Washington built up by the world-

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wide concern over radioactive fallout from tests, plus the Soviet bait of permitting inspectors inside Russia, finally cracked the opposition. The President agreed to a Stassen proposal for a ten-month test suspension provided it was tied to a later production cutoff, with acceptable later inspection measures for both. Stassen went to work at London with this, stretching it as far as possible to close the gap with the Soviets.

By this time, Strauss, his fellow AEC Commissioner Willard F. Libby, and much of the Pentagon leadership were up in arms. By chance, a Democratic Senator, Henry Jackson of Washington, came to their aid. Jackson, for unrelated reasons, had called three scientists who strongly opposed ending tests to Washington to testify before his weapons evaluation subcommittee of the Joint Atomic Committee—Ernest O. Lawrence, Edward Teller, and Mark M. Mills. Some of the Republicans who heard their views in secret saw to it that Strauss took them to the White House on June 24.

THE RESULT was two consecutive public exhibitions of Presidential uncertainty over the decisions he had made. At press conferences on June 26 and July 3 the reporters saw an obviously troubled Chief Executive, a man thinking out loud. Lawrence, Teller, and Mills had come forward with what Eisenhower said was the promise of an "absolutely clean bomb" if four or five more years of testing were available.

The scientists' appeal hit a responsive note: The old soldier visualized a "clean bomb" that would return war to the battlefield. And the scientists added another appeal to Eisenhower: Continued tests could lead to nuclear devices that would be useful in "moving mountains" or "the building of tunnels," as the President recounted it to the press.

On top of this, some of the scientists also told the Joint Committee that the Soviets could cheat on any test-suspension inspection system. They probably repeated this view to the President, though he did not reveal it if they did.

To cap this latest phase of Stassen's disarmament career, there were new uncertainties in Congress and in the Kremlin. Khrushchev's purge of his enemies added to the confusion, though Dulles said he did not expect any changes in foreign policy.

Laocoön in London

At the Capitol a number of senators of both parties privately began to worry whether the administration was going too far in its offer to stop tests and cut off weapons material production. Thomas E. Murray, Strauss's bitter enemy for years on the AEC and not reappointed by the President, was named a consultant to the Joint Atomic Committee. He came out publicly for continued tests of small kiloton-range weapons (but agreed to an end of tests of big megaton-range weapons) and against

the fissionable material production cutoff. He wants to develop "tens of thousands" of so-called tactical small nuclear weapons for possible use in limited nuclear war. Murray has a lot of support at the Capitol, where he is likely to be more of a thorn in the administration's side (and Strauss's) than he was in the AEC.

Despite his public exhibition of doubt over his own policy decisions, the President said he still was holding to his proposals to the Soviets. He said that "the political, psychological effects of doing this, going ahead with this thing, were so great that even if you suffered some scientific disadvantage, we should go ahead with it, and I still believe that very firmly . . ."

And so at the London table, though by now he must have felt like Laocoön, Stassen continued to attempt to present an American disarmament plan. Britain, alarmed at the idea of having to stop nuclear production with an inadequate stockpile and no guaranteed American supply, began to put out pessimistic reports of the talks. Rumors of a recess in the talks popped up both in Washington and London. The chances of any East-West agreement once again semed to fade.

Dulles then let it be known that the United States was considering a NATO nuclear stockpile, which would relieve allied fears of complete nuclear dependence on Washington. And it was said in Washington that the British would get American nuclear weapons during the period before any production cutoff went into effect, though this would take a change in the American atomic law.

As Stassen stubbornly talked away at the London table, it became clear that he had been getting nowhere on the problem of winning allied acceptance of a European zone. Stassen had remained convinced that such a zone had to be proposed to meet Soviet fears of a NATO attack, just as an Arctic zone would meet American fears of a transpolar nuclear Pearl Harbor.

STASSEN plugged away to the point of convincing Dulles that at least a European zone offer had to be made. But the transatlantic consultation became such an eel basket of overlapping tangled cables that Dulles could see no way out except to go to London himself. Dulles had said publicly and bluntly that policy was being made in Washington by the President and himself and not in London by Stassen, and he did not concede Stassen's influence on him.

In London Dulles succeeded in less than a week in hammering out an allied agreement on a European zone. The boundaries of that zone, incidentally, included almost all of Stassen's private proposal to Zorin and much more besides. The new zone ran from ten degrees west longitude (the western side of Ireland) to sixty degrees east (the Ural Mountains line between European and Asiatic Russia) and the North Pole down to forty degrees north, half a degree farther south than the Soviet plan.

To get allied agreement (and there was hard bargaining with the

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Dutch and Italians as well as with the Germans, French, and British), Dulles made two main concessions.

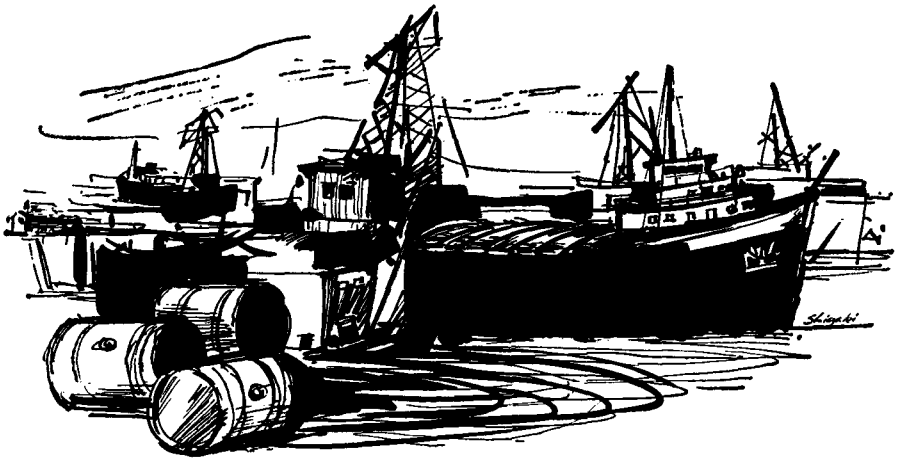
One was that there would be no American agreement to any European zone until and unless there was Soviet agreement to one of two inspection zones directly involving the United States—either a zone including all of the United States, Alaska, and the Aleutian Islands plus Canada in exchange for all of Russia, or else a zone covering the area north of the Arctic Circle plus Alaska and a comparable part of Siberia.

The second concession Dulles made was that, while the proposed European zone was open to negotiation as to its precise boundaries, any European zone agreed upon would have to include a "significant part" of the Soviet Union and its satellites.

Dulles came home feeling that the proposals he had obtained and then had personally put forward during his single appearance at the London conference table wrested the propaganda offensive from the Soviets. If they rejected a plan to end the danger of great surprise attack by means of inspection zones, they would be exposed to the world as wanting to retain the ability for surprise attack.

But by now the American-presented western disarmament plan had become so vast and so complex that Dulles felt it would take a year, perhaps two, to negotiate the fine print even if the Soviets accepted. And he began to worry that they might accept in principle, leading the free world to a psychological letdown, and then haggle endlessly over the vital details of inspection and control. Yet he publicly called the proposal "perhaps the most significant" in recent history, if not in all time, in the search for peace.

THIS IS where the matter rested as the Soviets momentarily appeared to shift their efforts to defeating Adenauer in the West German elections. The stubborn Mr. Stassen was left in London to spin out the seemingly endless details and then to await the Kremlin's retort. As usual, he brushed off as not definitive the first negative reactions to the August 21 proposal to extend the test suspension to two years—doubtless convinced that in the end right and Stassen would prevail.



The Travels and Troubles Of Five Spanish Sailors

PAUL JACOBS

THE BORDER PATROL detention camp at Chula Vista, California, is high on a hill. From inside the compound, behind the barbed wire, the prisoners can easily see Tijuana, just a few miles across the border in Mexico. At mealtime, the mess hall is filled with unhappy voices complaining in the Spanish dialects of Mexico; most of the prisoners in the camp are awaiting deportation because of illegal entry into the United States from south of the border.

But not all. There are five sailors in the camp who speak in the sibilant and lisping accents of Spain. Unlike others in the compound, the five sailors didn't cross the border illegally. They were brought in from Mexico by the United States Immigration Service and the United States Navy. The U.S. government isn't trying to deport them to Mexico but to Spain. And unless the American Civil Liberties Union in southern California wins its lawsuit on their behalf, they will be sent back to imprisonment—or worse.

THE FIVE SAILORS were members of the crews manning two destroyers recently turned over to Spain by the United States. When the decision was made to shift the two vessels to Spain, the U.S. Navy asked the Franco government to pick out crews of "intelligent people capable of learning fast and screened to be of high caliber" for destroyer training.

During March, 1957, both crews were brought over to the United States and spent several months off the California coast learning about destroyer operations from American naval personnel. On May 15, the two American vessels were commissioned in the Spanish Navy and became the *Almirante Ferrandiz* and the *Lepanto*.

On both of the destroyers the Spanish crews had talked excitedly about stories that twenty sailors had deserted in Panama from the naval vessel that had brought them all to the United States. There was also scuttlebutt, now corroborated as fact by the U.S. Navy, that when a Spanish midshipmen's vessel, training future naval officers, had docked at San Diego some months earlier, three or four of the future officers had successfully deserted into Mexico. Neither Panama nor Mexico has diplomatic relations with the Franco government, and both have offered

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political asylum to Spaniards fleeing his régime.

Early in June, the two destroyers called at San Diego, only a short distance from the Mexican border. In little more than two weeks, twelve sailors of the "high-caliber" and "intelligent" crews took their legitimate shore leave and immediately crossed the border into Mexico at Tijuana in Lower California, never intending to return. After a few weeks three of the twelve voluntarily turned themselves over to the Mexican police, claiming political asylum. Two were picked up by the Mexican authorities and made the same plea. All five were jailed in Tijuana. The other seven have been swallowed up in Mexico.

Naval Courtesy

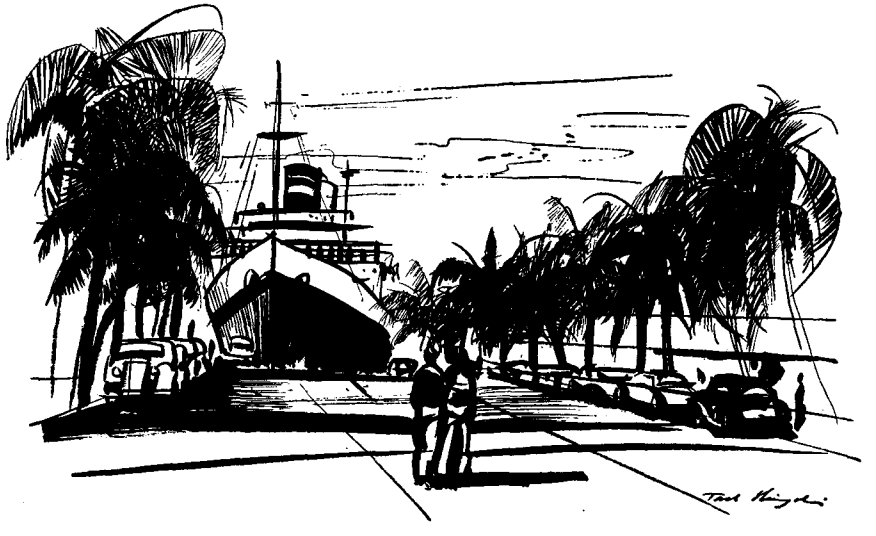
Even before they were jailed, the sailors' presence had been known throughout the sparsely settled Mexican state. In Tijuana at the border and in Ensenada, a resort and fishing village forty miles to the south, the sailors had made contact with exiles of the Spanish Republican colony. While in jail awaiting disposition of their status, they were interviewed by Mexican newspapers. "We would rather die in Mexico than return to Spain," two of them said.

Back in San Diego the captains of the two Spanish destroyers had informed Rear Admiral Charles C. Hartman, commandant of the 11th Naval District in San Diego, that the twelve men had deserted. One morning, late in June, Chief Gunner's Mate Atanazio Olazaba of the U.S. Navy shore patrol visited the Tijuana jail on a routine daily visit to check on any American military personnel who might have been arrested the day before in the border town. While C.P.O. Olazaba was at the jail, a Mexican official informed him of the presence of the five Spanish sailors. Olazaba then talked to the young seamen and asked them if they wanted to go back to the United States with him and rejoin the Spanish ships lying in San Diego harbor.

Emphatically they told him "No!" and explained to him also that they were seeking political refuge in Mexico.

When C.P.O. Olazaba returned to the United States, he promptly informed his Navy superiors that five of the twelve Spanish sailors were in the Tijuana jail. Shortly afterwards, a U.S. Navy officer ordered him to try to arrange a meeting between the Mexican immigration officials at the border and officers of the Spanish Navy. Olazaba was asked to act as an intermediary in this matter "as a courtesy to the Spanish Navy," according to U.S. Navy officials.

So the C.P.O. returned to the Mexican immigration station as ordered and arranged the meeting with the chief immigration officer there. Having arranged the meeting, Olazaba informed his superiors and a short time later a U.S. Navy car arrived at the border, carrying two Spanish naval officers. One of the two was in civilian clothes; the other, the captain of the *Almirante Ferrandiz,* was in full uniform.



Olazaba accompanied the two Spanish officers to the Mexican immigration station, where he made the introductions and remained during the meeting. In the station, Olazaba says, the Spanish captain talked with Tulio López Lira of the Mexican immigration service and asked him whether arrangements could be made for the return of the sailors. But, says the C.P.O., the Spanish officers were told by López that the sailors would have to remain in Mexican custody until official disposition of their case was made in Mexico City.

Two of the sailors were brought into the immigration station and interviewed by the Spanish captain. The sailors later maintained that the captain wore some kind of American identification on his arm; Olazaba denies this. One of the sailors said in court that the captain asked them to return to their ships, promising them no punishment and two weeks' leave if they did. C.P.O. Olazaba also denies hearing the Spanish captain make such a request, but there is agreement that the sailors reiterated their refusal to go back.

Following the interview, the two Spanish officers left the Mexican border post and returned, once again in the U.S. Navy car, to San Diego. A few days elapsed; the sailors were still in custody when rumors began to spread, say prominent members of Tijuana's Spanish Republican colony, that it was necessary to raise a two-thousand-dollar bribe or the boys would be turned over to the Spanish Navy. According to the exiles, frantic attempts were started to raise the money.

Back to San Diego

But suddenly word was received from Mexico City that the immigration department there had refused to grant the sailors' plea for asylum. The Mexican immigration officials then told U.S. immigration officials that they would now deliver the sailors to the American border station at San Ysidro.

The U.S. Immigration Service got in touch with the U.S. Navy. The Spanish ships were out at sea for a

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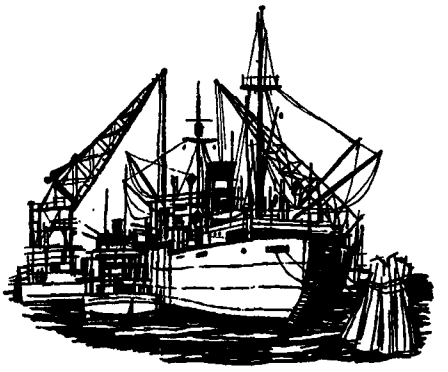
few days on maneuvers. Admiral Hartman called the Spanish consul in Los Angeles, el Marqués de Alcántara, and asked the consul "what his wishes were" in the situation. The consul says that the admiral told him the Navy could get the men from Mexico but didn't know what to do with them. According to the admiral, "satisfactory" arrangements were then made to "parole" the sailors to the U.S. Navy for delivery to the *Almirante Ferrandiz*.

Thus when the sailors arrived on July 5 at the U.S. immigration station in the custody of the Mexican immigration officers, the U.S. Immigration Service prepared an "Order of Parole," typed and printed in English, stating that the five young men sought admission to enter the United States for the sole purpose of being returned by the U.S. Navy to the Spanish Navy. This parole order for all five sailors was signed by Enrique Medina, one of their number. He insisted later in court that he did not know what he was signing, since he cannot read English, and that the U.S. immigration officer did not tell him anything of the contents of the paper, only that he had to sign it. Jack Harrison, the official in charge of the U.S. Immigration Service at the border station, has refused permission for an interview with Allen Clayton, the officer involved, but has stated that the five sailors were told the contents of the order and that Medina had signed it voluntarily, knowing it meant that he would be turned over to the Spanish Navy. Harrison even disputed the right of a reporter to question what he described as a "U.S. government matter."

The sailors were then bustled out of the U.S. immigration station and turned over to the Navy shore patrol, which took them to the Naval station in San Diego. There they were kept in custody to await the return of the two Spanish ships.

MEANWHILE, the Mexican press was excitedly beginning to give publicity to the story. Ugly charges were made in one paper that the refusal of political asylum was made because "with money one can work marvels in the official world of Mexico City." The Apostolic Vicar of Lower California issued statements denouncing the return of the sailors to the United States. The furor had echoes in the San Diego newspapers.

When a Los Angeles newspaper ran a small item about the case, Dwight Bollinger, a Spanish professor at the University of Southern California, got in touch with A. L. Wirin, an attorney for the American Civil Liberties Union at Los Angeles.



'Honor' and 'Interest'

The next day, July 8, Wirin had obtained a writ of habeas corpus and a restraining order preventing the U.S. Navy from returning the men to the Spanish Navy. A week later, the order was argued before Federal Judge Thurmond Clarke in Los Angeles, where the A.C.L.U. position was bitterly disputed by the United States attorney's office. On July 19, during the hearing, the Mexican government announced, through its own attorney, that it had reversed its former position and now offered political asylum to the sailors if they were returned to Mexico. The Mexican government has given no official explanation as yet of the reasons for the original decision or the change, other than that the matter had been reconsidered. Before the case went under review, Wirin states that government officials suggested to him that the sailors would be returned to the Mexican border if the A.C.L.U. agreed to drop the case. Wirin agreed to this arrangement, but the offer was quickly withdrawn, he says he was told, because "the Spanish embassy in Washington was exerting great pressure upon the State Department for the return of the sailors."

In court, the United States position was a simple one. In 1902, said the U.S. attorney, a treaty was signed with Spain providing that "the Consuls-General, Consuls, Vice-Consuls and Consular Agents of the two countries may respectively cause to be arrested and sent on board or cause to be returned to their own country such officers, seamen or other persons forming part of the crew of ships . . . who may have deserted in one of the ports of the other." The Spanish government, through its consul in Los Angeles, has made an official request of Admiral Hartman and of Judge Clarke that the provisions of the treaty be upheld, and the government's position is that this must be done.

This treaty should be upheld, said the assistant U.S. attorney who argued the case, without respect to whether or not the sailors were brought back into the United States illegally. The treaty must be upheld, he said, because "it is the law of the land"; because "the honor of the United States, the dignity of the United States, is involved"; and because "the implications of refusal to uphold the present treaty will have far-reaching consequences."

THE POSITION of the A.C.L.U. was that the 1902 treaty was followed in 1908 by another between the two countries "which expressly provides for political asylum." Further, A.C.L.U. attorneys Wirin and Hugh Manes said that the sailors did not desert in the United States but lawfully left their ships in San Diego "solely for the purpose of going directly to Mexico"; that the treaty "does not contemplate that the United States shall act as an agent of the Spanish Government"; that the "men were not found in the United States" but in Mexico; that no attempt was made to invoke the treaty in the informal arrangements made between the admiral and the Spanish consul for the return of the men, but that "the first effort to comply with this treaty" was only after the court had taken jurisdiction and after the issuance of the restraining order, which had been obtained by the A.C.L.U.

"The United States Navy," Wirin argued, "is not an Immigration Service, it is not in the business of deporting persons; it is in the business of defending us, particularly from totalitarian régimes. Why did

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a United States Naval officer in uniform go down, accompanying the Spanish captain?"

The answer to Wirin's question is contained in a statement made by Laughlin R. Waters, U.S. attorney in Los Angeles: "The United States government doesn't have to invoke the 1902 treaty with Spain, but it wishes to do so in the interests of better relations between the two countries. After all, Spain is now a friendly nation and the State Department is very much interested in this case."

'I Want a Free Country'

The kind of life led by youth in that "friendly nation" emerged in court, through the testimony of Manuel Fernández Rodríguez, twenty-two years old, of Barcelona. Through an interpreter, Fernández said that he had left his ship "because I am not in agreement with the régime or with the laws of Spain and because I want a free country. Because I want a free country and in Spain there is no freedom to live for the man or his way of living." His father is a monarchist, said Fernández, and is opposed to Franco. Two of his brothers were killed fighting for the Loyalists and a surviving brother fled to Chile, where he now lives.

An unwilling member of the Falange, Fernández said he finally left that group "because I was not in agreement with the laws of the Falange or of Franco, and it was the Falange that killed my brothers." His decision to quit the Falange, he stated, caused him great difficulties because "the work I had before was good work in which I could learn, and the work I had afterwards was only hard work," at about twenty-five per cent less pay.

In court, Fernández remembered that "as soon as the Franco régime came in, all the Spaniards who were left that belonged to the other side were put in jail and were shot. Then the people who were not willingly going to see those people being shot were called 'Reds' and they were beaten and they were also at times killed. These I have seen myself with my father and my brothers."

Fernández had tried, he said, "to desert to the Republic of Panama," but did not do so because he "did not find any of my companions who had deserted before I, so I returned to the boat." He was asked in court how long he had planned to desert. "From the time I left Spain I intended to stay away."

Enrique Medina Fernández, twenty-five, from Málaga, a seaport on the southern coast of Spain, who signed the order of parole, said that he left his ship at San Diego to go to Mexico "because I was looking for a free country, where they would respect the rights of a citizen and where you could earn money and have the means to live as such, because in Spain a workman works very hard and he doesn't get enough money to live."

Ginés Jiménez Nortes, twenty-one years old, of Murcia, the capital of Murcia Province in southeastern Spain, deserted "because I want a free country where a man can have his freedom and his rights to live; because in Spain no matter how hard you work to live you don't get much money. Only those who are close to Franco and the Falange get money.

"And a man who is not free always looks for a country where he can be free and a country that will protect you when you have your wife and children, if you have them; and in Spain a workman can get married but he will be hungry and his wife and the children that he might have; and if he has children, he has no means to give them any education, because he doesn't have the means to take them any place where they can study and have a career.

"I would want to live in a free country where I could make a life at least free and normal, because in Spain it is impossible."

Jiménez, too, described his difficulty at school and in the navy: He "renounced the Falange, because I could not stand the régime that Franco gave us." He told how his father didn't want to fight on Franco's side, "so he was persecuted and they put him in jail several times."

A Few Implications

On August 1, Judge Clarke decided that the 1902 treaty with Spain did apply and that it was important for treaties to be enforced. The judge made no comment on the other issues of the case, and the A.C.L.U. promptly announced its intention of appealing the decision. On August 13, the Ninth Circuit Court of Appeals granted a stay to the five sailors, directing that they not be turned over to the Spanish destroyers, the Spanish Navy, or the Spanish consul until the A.C.L.U. appeal was finally determined. In making its decision from the bench, an unusual action for the court to take, the three justices declared that the appeal posed important and difficult questions that should be determined only after a full consideration of the merits of the case.

The U.S. attorney's office had unsuccessfully opposed the stay of deportation and once again pointed out that "the implications of the present case extend far beyond the five petitioners." One of the "implications" discussed in the government's brief to the circuit court was that "In the past few years the United States has entered into several important agreements with Spain. . . ."

The State Department may have good reason, from its point of view, to be "very much interested in this case," even apart from those "important agreements with Spain" and the pressure being exerted upon it by the Spanish embassy. Obviously Franco does not appear in a very good light to the American public if desertions occur every time a Spanish naval vessel, carrying either crews "screened to be of high caliber" or future officers, docks anywhere near Mexico or Panama. Indeed, if these desertions continue, many Americans might share the regard in which Franco is held by Ginés Jiménez Nortes, who told the court what he thought would happen if he was sent back to Spain:

"The least I would get would be at least six years in jail, that is, if they would not shoot me, because on top of all the things we have said about him here which he deserves, and I can say that he deserves them, so if I were to return to Spain now the most sure thing that they would do would be shoot me, because they would not be satisfied after my having said what I have said, and because of that, I hope you will do us the kindness of helping us so we can remain in Mexico."

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A Weekend With Eugene O'Neill

MALCOLM COWLEY

BACK in the early 1920's, Eugene O'Neill was the animating spirit of a group that surrounded the Provincetown Players. His success as a dramatist had enabled the Players to move to New York and had kept their venture alive in bad seasons. It had kept me alive, too, during a hard year when I was paid ten dollars a week to be a black ghost in *The Emperor Jones* and a white ghost in a revival of *Where the Cross Is Made;* I never aspired to play the part of any living person. Although I hadn't been eating much that year, I made a rather substantial wraith, even with streaks of aluminum paint over my ribs to make them look as if the flesh had rotted away. Then Gene stopped writing plays with ghosts in them and my stage career came to an end. It was a minor example of how his decisions affected all of us.

IF THE Provincetown Players drank at the Hell Hole—officially known as the Golden Swan—which stood at the southeast corner of Fourth Street and Sixth Avenue in Greenwich Village, that was also because of Gene. Before it became a speakeasy, the Hell Hole was a Raines Law hotel, which means that there were furnished rooms upstairs and that, in theory, it furnished meals to travelers. As legal proof of the theory, the same mummified sandwiches appeared Sunday after Sunday on the round tables in the back room. Not even the unfed stumblebums who slept there on winter nights would dust off the sandwiches and eat them. The Hell Hole before the First World War, when it stayed open all night, was one of the principal models that Gene copied for Harry Hope's saloon in *The Iceman Cometh.* It was the grubbiest drinking parlor west of the Bowery—the No Chance Saloon, Bedrock Bar, the End of the Line Café, the Bottom of the Sea Rathskeller, as Larry Slade calls it in the play. "Don't you notice the beautiful calm in the atmosphere?" he continues. "That's because it's the last harbor. No one here has to worry about where they're going next, because there is no farther they can go."

Larry Slade in life was Terry Carlin, a gaunt, benign Irishman who had retired from gainful occupation after a working career that lasted one day. It was a Saturday, Terry explained, and the gainful occupation was that of helping behind the bar, where he had slaved from noon to midnight in order to empty the till after the saloon was closed. But the proprietor emptied it first, and Terry, disillusioned, had sworn never to do another day's work in his life. He kept the oath and lived to be nearly eighty, on a chiefly liquid diet. During Prohibition he used to drink canned heat, strained through a not very clean blue bandanna—that is, till the afternoon when I heard him say dreamily, "I'll have to stop drinking wood alcohol. It's beginning to affect my eyesight." Terry was a mystic of sorts who had been a radical syndicalist in his early days and then a philosophical anarchist. He had also been a patron of the Hell Hole when anyone would buy him a drink, as Gene often did. At Provincetown in the summer of 1916, Terry had repaid the debt by introducing his desperately shy friend to the Players as a young man with a trunkful of unperformed plays.

Outside of a few drunken radicals or ex-radicals like Terry and Hippolyte Havel (Hugo Kalmar in *The Iceman Cometh),* the denizens of the Hell Hole were more practical than the characters in Gene's play. Some of the latter were invented and others were carried over from Jimmy the Priest's, a waterfront dive that had been one of Gene's earlier haunts. At the Hell Hole the regular patrons included sneak thieves and shoplifters, touts, a square-shooting Negro gambler down on his luck, and a few bedraggled prostitutes—until 1917, that is, when "us girls" were driven off the streets and saloonkeepers were told not to serve them. There was a famous West Side gang known as the Hudson Dusters. Not many of the anti-social characters at the Hell Hole had spunk enough to be gangsters, but Hudson Dusters—or simply Dusters—was what we always called them. Gene had been drinking with them since 1915, when he first lived in the Village. The Dusters pitied him, sometimes fed him when he was starving, and one of them offered to steal him an overcoat when he was shivering with cold. "Tell you what, Gene," said an amiable shoplifter. "You make a trip up Sixth Avenue right away. Go to any

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store, pick out any coat you like, and tell me where it hangs on the rack. I bring you the coat tomorrow."

The World Was Divided . . .

Gene hadn't accepted the offer, but he liked to tell about it, and anyone could see that he was proud to be accepted by the Dusters as one of the crowd. He had earned a place there by his apprenticeship in raggedness and drunkenness and near starvation, as well as by his unfailing good manners. He felt—and perhaps the Dusters felt—that he was leagued with them in a sullen rebellion against property and propriety. To a lesser extent he was also leagued with the Greenwich Villagers, particularly if they were poor and eccentric and a little outside the law. I think that for him the world was divided into downtowners and uptowners, as for a later generation of rebels it would be divided into hipsters and squares. For some time after becoming a successful playwright, he entered the uptown world with trepidation and in disguise, almost like a scout in enemy country, fearful of being caught and condemned to death or forced to abandon his loyalties. He wouldn't even go to see his own plays when they were produced on Broadway. In the plays he depicted uptowners as hypocritical and sex-obsessed, and also as representatives of the paternal authority that he defied. He wanted to fling the truth about them into their smug faces. He wanted to show the uptowners, including his father, what he could do to enforce his dreams, but he didn't want to win them over; he wanted to impress and overawe, not persuade. In the back room of the Hell Hole, which was lighted by two flickering gas jets, with the corners of the room in darkness so that it looked like an expressionistic setting for *The Lower Depths*, among the honest sneak thieves and panhandlers at the very end of the line, he was safe from his father's reproaches; he could take off his mask and be understood.

THAT WAS what I felt about O'Neill, but what did I really know about him? Today how much do I really remember? I had seen him perhaps a dozen times, in the

street, in the back room of the Hell Hole, at the Provincetown Playhouse, and once in the cold-water flat of Spanish Willie Fernandez, a bootlegger and small-time politician who worshiped him. I had heard some of his stories about life on shipboard and in a tuberculosis sanitarium, but it seems to me now that I heard them from others, his good friends and mine. I know that he liked to sing chanteys, omitting the obscene stanzas, and that his favorites were "Whiskey for My Johnny" and "Blow the Man Down." When ordering another round of drinks, he might sing in a low voice,

> *"Whiskey is the life of man,*
> *(Whiskey—Johnny),*
> *Oh, I drink whiskey when I*
> *ca-a-an*
> *(Whiskey for my Johnny)."*

In humming the other chantey, he would pause to say that the slow rise and fall of the refrain, "Way-O, blow the man down," was like the movement of a ship on an ocean swell, and he would illustrate his meaning with a wavelike gesture of his right hand. But did I really see him make the gesture or was it someone else who made it in telling me about an evening spent with Gene? Often we fall into the illusion that the good friends of our friends are our good friends too.

Searching through my mind, discarding the questionable pictures and the stories told by others, I find that most of what I truly remember about Gene is connected with a visit to the O'Neills' country house at the beginning of November, 1923, when the other guests were the poet Hart Crane, whom we had met that summer, and my first wife, Peggy Baird. And what remains is not a continuous memory but a series of pictures, as if one's mind were a theater, and a spotlight moved to illuminate one corner of the stage and then another while leaving the intervening spaces in blackness.

Two Gulfs to Cross

Hart Crane and I are climbing out of a nearly empty Harlem Division local at Purdy's Station on a Friday evening just after dark. Nobody else gets off the train. Gene's second wife, Agnes Boulton, had taken Peggy to the country earlier in the week, and now they are waiting for us on the dimly lighted platform. There are hugs, twitters, and Hart's boom of greeting. Shivering a little in the country air, I look up at the shadowy presence of big trees to the south of the station. Just north of it a sinister-looking bridge crosses the railway. A very bright electric bulb is burning at the top of the embankment, against a starless sky. A long flight of steps rises through shadows toward the single light. It is a stage setting by Robert Edmond Jones and makes me feel like a ghost again in one of Gene's early plays.

Carrying our bags, we struggle up the steps to where the O'Neills' new touring car is waiting under the light. The chauffeur, whose name is Vincent Bedini, drives us eastward by narrow roads lined with stone walls. From time to time, far back from the road, we catch glimpses of big houses among the trees, sailing past us like brilliantly lighted wooden ships. At some point we cross the Connecticut state line. . . .

The O'Neills have recently bought

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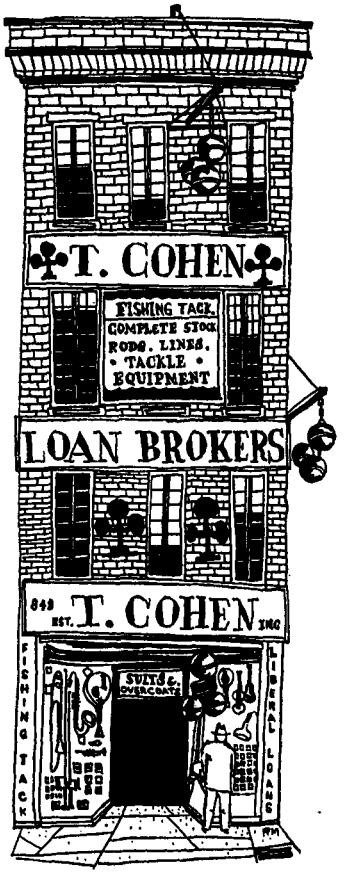
one of the big houses in Ridgefield, I think with part of a legacy from Gene's brother Jim, or Jamie, though there have also been big royalties from *Anna Christie* and smaller ones from *The Hairy Ape*. The house is an 1890-ish affair called Brook Farm by its former owners, with a wide tree-dotted lawn and more than forty acres of land. Gene meets us in the hallway and so does his new dog—an Irish wolfhound, we are informed, the color and texture of a coarse sandpaper and the size of a three-month-old calf. "He's extinct," I say, patting his head. "The *Encyclopaedia Britannica* tells us that Irish wolfhounds are an extinct breed." Offstage the telephone rings. With his hind paws slipping a little on the pale yellow hardwood floor, the dog rises to his full height, which is greater than mine, puts his forepaws on my shoulders, and looks down into my eyes. Enter Mrs. Fifine Clark, the housekeeper, known as "Gaga" by the family; she says there is another call from New York, from the Theatre Guild. "I'll take it," Gene murmurs. He comes back with a brief report, "I said no." There aren't any other guests and we sit down to an excellent dinner without being offered a drink. The door to the hallway is closed against Finn, the dog, who hasn't learned table manners. . . .

After luncheon on Saturday, Gene and I are alone in a window nook at the left rear of the enormous living room. Hart has disappeared, I don't know where, and the girls are in Agnes's bedroom exchanging confidences over glasses of whiskey and water, I suspect, but there is no liquor downstairs. Gene picks up a heavy green medical-looking book from the table beside us; it is one of Wilhelm Stekel's treatises on sexual aberrations—perhaps *The Disguises of Love*, which has recently been translated from the German. There are enough case histories in the book, Gene says, to furnish plots to all the playwrights who ever lived. He turns the pages and shows me the clinical record of a mother who seduced her only son and drove him insane. Then he talks about the German Expressionists, Toller and Kaiser and Hasenclever, whose plays he has read because they are said to resemble his own. Gene thinks their work is bold and interesting, but much too easy. The word "easy," which seems to be his strongest expression of disapproval, reminds him of *Anna Christie*. "I never liked it so well," he says, "as some of my other plays. In telling the story I deliberately employed all the Broadway tricks I had learned in my stage training. Using the same technique, and with my early experience as a background, I could turn out dozens of plays like *Anna Christie*, but I won't ever try. It would be too easy."

Nodding politely, I look down at the polished beech floor, with tiny eyes here and there in the wood. I



think it is the handsomest floor I have ever seen. . . .

Gene has taken me upstairs to the room where he works, a big bedroom so meagerly furnished that it looks like an abbot's cell. (Croswell Bowen, who is writing one of the books about O'Neill, tells me there was a crucifix over the bed, but I don't remember seeing it.) There are no books or pictures in the room. Between the two north windows is a dark mahogany secretary with drawers at the bottom, a cabinet at the top, and a drop-leaf table for writing. There are no papers on the writing surface. Gene opens the doors of the cabinet and takes out two or three medium-sized bound ledgers; "I write in these," he says. Each ledger contains several plays. Opening one of them, he shows me the text of *The Emperor Jones*, written with a very fine pen, in characters so small that they are illegible without a reading glass. There are no blank lines, and the text of the whole play fills only three pages of the ledger—or is it five? I think of the Lord's Prayer engraved on the head of a pin.

Gene tells me he is writing a play about New England, but he doesn't want to discuss it until it is finished. He is being extraordinarily kind to a shabby young man without a reputation. Partly that is because I am a friend of his friends, definitely not an uptowner, but there is something else involved—perhaps a need to explain himself to a new generation of writers, to a representative of the future by which he will be judged. I listen but do not respond, as I might well have done if he were French or English. In this country, as a result of the First World War, there has come to be a gulf between literary generations, besides that older gulf between fame and obscurity. Although Gene is only ten years older than I, he had come of age in a different world, and I feel we have very few admirations or even interests in common. Gene is trying to cross the two gulfs but, in my defensive pride and foolish reticence, I do nothing to help him. . . .

RATHER LATE in a dry evening, Gene takes Hart and me down to the cellar, the only part of the house that seems to arouse his pride of ownership. He shows us the big coal furnace, with pipes radiating in all directions like the arms of an octopus. Standing under a bare electric light, he points to the cement floor and says that Vincent keeps it as clean as the living room. Vincent is a European who can't stand the way Americans let things go to waste. Last month he had gathered apples

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from the old orchard and made three barrels of cider. There they are —Gene points a finger into the shadows, where three fifty-gallon casks stand on a rack.

As a country boy I offer a disquisition on the virtues of hard cider, the wine of the Puritans, the interior sunlight of New England. "Let's broach a cask," Hart says. Gene demurs, but hesitantly; Vincent mightn't like it, he says, the cider is only three weeks old, and besides he doesn't know how a barrel should be tapped. Here I interrupt with my country knowledge. There is a spigot lying on the rack, I say, with a maul beside it. Cider doesn't have to ferment all winter; sometimes it tastes even better when the sugar hasn't quite worked out.

Gene goes upstairs to Gaga's kitchen and comes back with a white china pitcher and three glasses. By that time I have tapped a barrel, spilling more than a little cider on Vincent's clean floor. We stand with our full glasses under the bare electric light. "I can see the beaded bubbles winking at the brim," Hart says. Gene takes a sip of cider, holds it in his mouth apprehensively, gives his glass a gloomy look, then empties the glass in two deep nervous swallows. After a while we fill the pitcher again. When I go upstairs to bed, long after midnight, Gene is on his knees drawing another pitcher of cider, and Hart stands over him gesturing with a dead cigar as he declaims some lines composed that afternoon. . . .

Soliloquy. I am lying awake while the clear gray morning light pours in through the bedroom windows. I am saying to myself that the O'Neills rattle around in this big country house like the last dried peas in a box—or better, like castaway sailors who have blundered into a deserted palace on the shore. But the sailors would laugh if they found wine in the cellar, where Gene hardly even smiles. . . .

Peggy and I are running over the immense lawn in pursuit of the wolfhound. He mustn't be allowed to cross the road because, in spite of his amiable temper, the mere size of him terrifies the neighbors; he has developed a bad habit of killing chickens, and there have been threats that he would be shot. Finally he lets us catch him and lead him, or be dragged by him, back to the house. "The O'Neills—were kings in Ireland," I pant as we go. "It's like Gene—to buy—a dog of an extinct breed—the royal hunting dog of Irish kings—that kills the neighbors' chickens."

The big round table has been set for luncheon, with a plateful of hors d'oeuvres at each place. I look through the glass doors of the dining room and see the extinct dog walking gravely round the table, lowering, not raising, his head to empty each plate in turn. At luncheon Mrs. Clark gives soup to us instead. We are told at the last moment that Gene won't be down because he's working.

A Failure to Communicate

That evening we are in Woodstock, New York, sixty miles from Ridgefield as the crow flies. I know from one of Hart's published letters that we had been taken there in the O'Neills' touring car, which means that Vincent was at the wheel, but I don't remember by what roads, or

how we crossed the Hudson, or anything that was said. A sort of curtain had fallen, to rise on another scene. My one intervening impression, a faint one, is that Agnes came along for the ride, then left rather hurriedly before dinner.

Now we are in a sort of eviscerated farmhouse, where ceilings and partitions have been ripped out to make an immensely high living room, with a balcony at one side and bedrooms opening out of it. There are six of us, all of an age except Niles Spencer's kid sister, who is pretty and sixteen. We have organized a game of hide-and-seek and go storming in and out of doors, up and down the balcony stairs, in alternate troughs and crests of laughter—first laughter pushed down, as into the hollow of a wave, then laughter splashing over us in breakers, with Hart's voice booming above them. For the Ridgefield pilgrims, it is as if a thin but perceptible mist of constraint, of jokes not made and differences of opinion that mustn't be aired, had suddenly been laughed away. . . .

Hart stayed at the Woodstock farmhouse until after Christmas. Peggy and I went back to New York, where on Thursday of that week I wrote a letter to one of my literary friends. I told him briefly about the trip and said, "Eugene O'Neill, Mr. O'Neill the playwright, Gene . . . speaks a language so different from ours that we seemed to converse from different worlds." So the trip had ended for me in a failure of communication that was largely my fault.

There was, however, a sequel. All that Sunday, instead of working Gene had kept on drawing pitchers of cider from the tapped barrel. While Agnes was away from Brook Farm he had called a taxi that took him to Purdy's, where he vanished. Agnes went to New York and spent a frantic week in search of him. Afraid of what the newspapers might say, she avoided the Bureau of Missing Persons; instead she made telephone calls to his friends and kept visiting his old haunts, including the Hell Hole.

On the last of her visits there, the proprietor confessed to her that Gene had sat in the back room and drunk himself into a coma. To avoid trouble with the police, he had been stashed away in the mysterious upstairs that none of us had seen, where Gene said that a crazy old woman wandered through the hallways, opening and closing doors. Agnes had him driven to Ridgefield, where in a few days he went back to work on *Desire Under the Elms*. That was not the last of his alcoholic misadventures, but his need to write plays proved stronger than his impulse toward self-destruction. A few years later, faced with the choice between writing and drinking, he stopped drinking for the rest of his life.

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CHANNELS: Dio ex Machina

MARYA MANNES

IF THE PEOPLE who watched the labor-rackets hearings on their television sets recently went away mad, the nation will have the Dumont network to thank for it. A small minority may be mad at the wrong things, among them friends and relatives of the hoods and fixers questioned by the Senate's Select Committee to Investigate Improper Activities in Labor-Management Relations. Some members of the Teamsters and other unions involved may only harden in defiant loyalty to their bosses, immune to moral concern. There may be others, not in any way directly affected, whose chronic, if latent, hatred of unions or Jews or Italians or lawyers has been triggered off by the presence of these elements in palpably unflattering context. Still more—and these will include many good people—will have been so outraged by the misuse of the Fifth Amendment that they will question its purpose.

But if this particular viewer is in any way typical, the anger of most people will be a healthy one: an anger against the manipulation of the decent by the corrupt, at the deep fouling of American life, at the unchecked license of greed, at the travesty of law.

It did not require a knowledge of labor practices to perceive these evils. Thanks to the thorough preparation and exposition of the committee and the very able commentaries of *Look's* labor reporter Clark Mollenhoff and Matt Warren of Dumont's Washington outlet, the crux of the investigation was crystal clear. This was the tie between Jimmy Hoffa, possible future president of the giant Teamsters Union, and Johnny Dio (DioGuardi), a convicted extortioner. The details of this association are by now known to all newspaper readers. But as usual, television added another dimension to reality.

THE DOMINANT personality of the hearings was—again—Senator McClellan, the chairman of the committee. I say "again" because his impact was equally strong in the Army-McCarthy investigation of three years ago, when the features of the Senator from Arkansas impressed themselves in American memory as vividly as those of the Senator from Wisconsin, if for different reasons. Whatever one may think of McClellan's politics and prejudices, his is an American face of a type that is fast vanishing: hard, stern, completed, in a way noble. It is a face both puritan and earthy, and the voice which issues from it—slow, deep, and rasping—has the same qualities. McClellan can be both hell-fire preacher and cracker-barrel farmer, apocalyptical and homespun.

There is no question of the senator's real abhorrence of the corruption spread out before him, and when he used words like "disgraceful and shameful" and "We must liberate them [the workers] from this vise of evil," it was not a grandstand play but the voice of an older American conscience. In this he differs from Senator Kennedy, whose indignation against this evil was doubtless as sincere but whose outbursts had a scolding, pettish quality, like a housemaster admonishing unruly schoolboys.

The sight of the two brothers together, however, Robert the boyish counsel and John the boyish senator, both shock-headed, intense, tremendously able, was politically impressive. The future was stamped upon them—apparently a large one.

ON THE OTHER side of the long, curving, polished Senatorial table, across a small stretch of floor and a wide gap in civilized development, the witnesses were no less fascinating. Johnny Dio himself gives little hint of the life he lives and the power he has accrued. He has a regularity of feature that might be called handsome, a well-shaped head, and a well-curved mouth. Not even the restless intelligence of his eyes behind the horn-rimmed glasses seems particularly malign. But on the features of the men who jump to his voice, corruption sits like a moldering mask; their mouths are tough and tight and their shoulders hunched for assault or resistance.

To many viewers their repeated taking of the Fifth Amendment—some fifty times or more—must have seemed as monotonous and wearying as it was to the committee, who at least were inured to obstruction. To this viewer, the variety with which they invoked it proved a considerable source of amusement. One monumental hood, the driver of the getaway car of the man who blinded Victor Riesel, said "on the grounds that it might intimidate me." A lot of them had trouble with the word, which came out "intimate," "incrimate," or even "uncremate." One had to refer repeatedly to a printed statement, and after every question addressed him by the committee, his fat and scowling counsel would lean toward him and say "Plead!" Mr. Dio himself read the Fifth 137 times without prompting.

I doubt, however, whether there was anything funny to most viewers about the manner in which the Fifth Amendment was resorted to, and it must have occurred to many that there must be a way in which this privilege can be confined to a clearly established line of questioning. In far too many cases it seemed to be invoked not to obtain protection but as an act of contempt.

A SENATE COMMITTEE is not a court, and the courts themselves will need time before they can deal with whatever crimes some of these men may have committed. Even then, the cancer will not be fully rooted out.

The function of televising this investigation was, as I see it, to make the disease and its enormity clearly visible, to show how it touched all parts of the nation's body, and to arouse a public to preventive action against its spread.

"Do you know," Senator McClellan would say to the racketeers with real emotion in his voice, "the harm you are doing to honest organized labor in this country?"

They did not, of course, answer. It will be interesting to see if the viewing public does.

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Musical Echoes Of the Renaissance

MARTIN MAYER

Until a few decades ago, people who spoke of "early music" usually meant a body of composition primitive and overly complicated at the same time, featuring intensive counterpoint and strange harmonies, offering limited resources for emotional expression, and appealing only to an audience of specialists and scholars. One respected it, of course; one paid a certain homage to the distant names of Josquin and Lassus, Palestrina and Monteverdi; but it was student stuff, with no practical application.

Much of the music had to be reconstructed before it could be performed, and performing it required special training. The scholars who did the reconstructions and undertook to lead the performances often had no particular talent as executant musicians, and the singers who worked under their direction were almost invariably eager amateurs or conscientious undergraduates, whose vocalism was breathy and insecure and commonly off pitch. Whatever the beauties of the music, such performances could have little appeal, even for a sophisticated audience. And the absence of a considerable ticket-buying audience kept professional singers from trying their hand at the music. A vicious circle of classic dimension was in operation to restrict the enjoyment of medieval and Renaissance music to a cult of devotees.

Today the circle is broken: Professional performances of early music are accessible to all, and the audience for it is expanding. Two otherwise unrelated factors—the death of eighteenth- and nineteenth-century theories of musical composition and the growth of the phonograph record—have joined to make the revolution. Modern composers (most notably Nadia Boulanger and Paul Hindemith) went back to early music to find theoretical foundations for their own work; and the dissonances of modern music made the "false relations" of early music seem less shockingly wrong to the general audience. Meanwhile, the phonograph record freed performers of early music from dependence on small local audiences, and opened up a world-wide market for first-class work.

With the expansion of the record business after the Second World War, it became conceivable that professional singers would be willing to put in the time and work necessary for specialization in Renaissance music, and that the works of Dufay and Josquin, Lassus and Monteverdi, great music by any standards and much of it wonderfully tuneful, might attract a paying audience far larger than the usual coterie.

A Pioneer

Making the most of the first of these possibilities and reaching for the second, in 1952 Noah Greenberg founded Pro Musica Antiqua of

New York, the first independent, wholly professional early-music group on this continent.

Greenberg's qualifications for this mission were unique. He had been ardently devoted to early music from his first serious study of the piano and composition in the 1930's, and from 1942 to 1949, while working as a merchant seaman, he collected rare scores and rare recordings at European ports of call and studied them through the long, solitary, undistracted leisure hours of a sailor's life.

While at sea, Greenberg was an active member of the National Maritime Union, and when he returned to his musical career he brought with him a trade-unionist's feelings about an honest day's pay for an honest day's work. "What I really wanted to do," Greenberg says, "was to get into a position where I could go to people and say to them, 'I can *pay* you to perform old music.' "

This ambition seemed futuristic in 1949, when Greenberg left the sea for good. A large, gentle, casual man whose suits always hang on him like sacks, he had minimal financial resources, few contacts, and none of the promotional polish usually required for launching musical institutions. His first shore job was with the International Ladies Garment Workers Union, organizing choruses among the membership. On his own time, Greenberg organized a private chorus among his friends for serious study of early music.

Toward the end of 1952 Greenberg's millennium suddenly arrived. A small record company, Esoteric Records, decided to sink its capital into a series of half a dozen first-class recordings of Renaissance music, and came to Greenberg in hopes that he could do the job cheaply, with his study group or one of his ILGWU groups. Greenberg insisted on professionals and on enough money to form a professional ensemble and to work its members into a correct Renaissance style. Shuddering at the expense, Esoteric nonetheless picked up the bills for the founding of Pro Musica.

The Musicians

The first singer Greenberg recruited was a carrot-haired, cherub-faced young tenor named Russell Oberlin who was fresh out of the Juilliard School and was singing solos at various churches and with Robert Shaw's Collegiate Chorale. Oberlin knew he was a high tenor, with a vocal compass far out of the ordinary, but the only music he had found in which he could use his extraordinary high tones was in the songs of Benjamin Britten. Greenberg, listening to him from church pews, had spotted him as that rarest of vocal talents, the countertenor, whose sweet but never cloying top tones were greatly prized and heavily

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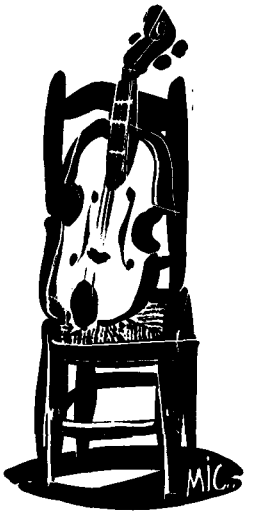
utilized by Renaissance composers. In most previous early-music groups, countertenor parts had been sung by women, or by men struggling in falsetto. Oberlin can sing an easy lyric E above high C in his natural voice. His presence gave Greenberg's newly formed ensemble a unique distinction, and Greenberg gave him a career. "Before I met Noah," Oberlin said the other day, "I didn't even know there was such music." A solo recital of Purcell songs by Oberlin was one of Pro Musica's first recordings for Esoteric.

As his second tenor Greenberg chose Arthur Squires, the one semi-professional in the group. (Squires is a chemical engineer and holds a Ph.D. from Cornell—though his piano, cello, and voice training is at least the equal of a conservatory education.) A third tenor was added almost immediately, when Squires reported sick before rehearsals for John Blow's *Ode on the Death of Henry Purcell.* Oberlin recommended Charles Bressler, a fellow Juilliard student who had just returned from a second hitch in the Navy and was making his living singing with Robert Shaw and at churches in New York and in his home town of Wilkes-Barre, Pennsylvania. Bressler's voice is naturally heavier than Oberlin's, and in the first recordings the balance between the two of them, singing in canon, was slightly uneven. By 1956, however, when Pro Musica recorded "Songs of Monteverdi" for Columbia Records, Dressler had lightened his voice enough to match Oberlin perfectly in the great tenor duet *Zefiro Torna,* which opens the recording.

The male side of the group was filled out by Brayton Lewis, a bass who had sung for two years in the Radio City Music Hall chorus and in Broadway shows. All four men are still with Pro Musica; only the two sopranos, Jean Hakes and Betty Wilson, have joined the group since the first recordings.

Greenberg felt that he had enough work in hand training the singers, and turned over the instrumental end to Bernard Krainis, a tall, intense young man who had given up a professional jazz trombone to study and teach the recorder. (Or, rather, the five recorders: sopranino, soprano, alto, tenor, and basso.) A virginal (the instrument that preceded the harpsichord) and a pair of violas da gamba (the instrument



that preceded the cello) completed the instrumental ensemble for the original recordings.

First Concerts

The first record issued by Esoteric was Adriano Banchieri's *Festino,* a kind of musical revue with jokes, songs, and dances, written in 1608 to be performed on Shrove Tuesday. It made a splash in the small community that bought strange-looking records of unknown music: *Festino* was fun in itself, very lovely in some of its softer sections and harmonically daring in some of the more raucous dances. And Pro Musica sang the work as few people had ever heard Renaissance music sung—in full voice, on pitch, in aggressive, bouncing rhythms, and without the slightest hint of scholarly timidity.

Meanwhile, Greenberg and Krainis had emptied their pockets of a hundred dollars to rent the auditorium at New York's New School for Social Research for a matinee concert. The audience for the new and unknown group was inevitably meager, but it included the manager of the concert bureau at the Y.M.H.A., who was greatly impressed and invited Pro Musica to give a series of three concerts at the Y's Kaufmann Auditorium in the 1953-1954 season.

At the second of these concerts, Pro Musica presented a program devoted entirely to music by Salomone Rossi, a Jewish contemporary and friend of Monteverdi who wrote secular madrigals and music for the synagogue in the highly sophisticated style of the late Renaissance. The music proved to be the work of a minor master—and none of it had ever been heard in America before.

With this program, Greenberg's group came to the attention of a larger audience, moving up from Esoteric Records to Columbia Records. (Columbia's recording of the Rossi program will be issued this fall.) Even more important, it came to the attention of W. H. Auden, who maintains a close connection with the Y's Poetry Center and whose name is formidable box office in the New York intellectual community. Auden and Pro Musica teamed up for two poetry-cum-madrigal evenings which gave Greenberg's group its first sellouts. Pro Musica's best-selling record, too, is a Columbia disc of Elizabethan verse and music with Auden reciting the lyrics before each song.

By the 1956-1957 season, Pro Musica was thoroughly established in New York and the university towns of the East Coast, and a concert manager was able to book the group for a Midwestern tour, during which early music enjoyed rousing receptions in such places as Stillwater, Oklahoma. The year ended in July with a pair of concerts at Ravinia, Chicago's summer music festival, both sold out and both acclaimed by the Chicago critics. For the coming season, Greenberg's group has been signed up for thirty concerts (nine of them in New York), plus eight performances of the earliest known "opera," an eleventh-century musical morality play on the Book of Daniel, which was so successful in its time that, in Greenberg's words, "It ran a hundred years in Beauvais." The programs Greenberg will give at this season's concerts—including a highly ambitious survey of Flemish music in the Renaissance—have already been prepared during a month's communal living and rehearsing in Stratford, Connecticut, and presented as a special feature of its American Shakespeare Theatre festival.

With growing prosperity and recognition, Pro Musica has been able to expand its instru-

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mental choirs and to secure originals or replicas for most of the major Renaissance instruments. Among the rare instruments that are now to be heard in their proper context at Pro Musica's concerts are the rebec (the medieval fiddle), the psaltery (King David's instrument in many medieval illustrations of the Old Testament), hand bells and percussion, the little medieval harp, the one-keyed flute, and—most remarkable of all—the portative organ, so small that the player can hold it on his lap. The organ was made to Greenberg's order by Josef Mertin of Vienna and is a duplicate of an instrument in a Van Eyck painting. (Flemish painting, with its meticulous detail, is a major source of information about instruments that have otherwise disappeared.)

NEXT SEASON'S SCHEDULE represents about half the number of appearances which would be necessary to give Pro Musica's members a decent living from early music alone. Greenberg supplements his concert income with writing, foundation grants, and a teaching job at the Mannes College; Krainis takes individual pupils and teaches at two New York private elementary schools; Brayton Lewis manages the Holiday Bookshop. The others still free-lance their instrumental talents or sing at churches and with choral groups (Oberlin appeared last year as soloist with the New York Philharmonic). But the group's progress has been steady, reaching out every year to a wider audience, and it is now more than possible that eventually its members will be able to devote their full-time professional attention to early music.

The importance of this accomplishment cannot be overstated. If Pro Musica establishes itself as a permanent institution in American musical life, our conservatories, which are nothing if not practical, will begin to give early music the attention it merits—not as a curiosity but as a major and immensely varied utterance of the human spirit. The rest will take care of itself: There never was anything wrong with early music that professional performances couldn't cure.

Limited Wars Or Massive Retaliation?

PAUL H. NITZE

NUCLEAR WEAPONS AND FOREIGN POLICY, by Henry A. Kissinger. *Harper. $5.*

In January, 1954, Mr. Dulles delivered his famous speech at the Council on Foreign Relations in which the doctrine of massive retaliation was announced. In the audience were a number of people who had long wrestled with problems of strategy and politics in a nuclear age, and around the room one could see many whose expressions made it clear that they could hardly believe their ears as Mr. Dulles continued from point to point. When the speech was over a number of us met in the bar and exchanged reactions. It seemed almost inconceivable that at the very moment when the loss of our atomic monopoly, which had long been foreseen as a probability, was becoming an actuality, Mr. Dulles should announce in blatant and offensive terms what he claimed was a new doctrine, the doctrine of depending "primarily upon a great capacity to retaliate, instantly, by means and at places of our choosing."

From the end of the war, and the hasty "point" demobilization that followed it, until the fall of 1949 the military support for United States policy rested on a capability for atomic retaliation and upon little else. The budget ceiling of $13 to $14 billion permitted little in the way of conventional forces.

BUT WHEN, in the fall of 1949, the Chinese mainland had been captured by the Communists and the Russians had tested their first atomic bomb, it became evident to those who dealt with military-political policy matters in Washington that both our past military-political doctrine and the concrete efforts we were making in support of that doctrine were grossly inadequate. Faced with the imminent loss of our atomic monopoly, we would need to make a greatly increased effort to provide against the dangers of Soviet atomic attack or threat of attack. And we were clearly giving inadequate attention to providing the necessary tools for military protection against limited military aggression and to support the manifold requirements of the successful conduct of the cold war, the only war in which victory in any meaningful sense was possible.

In the spring of 1950 a new policy was formulated in a National Security Council document entitled N.S.C. 68. This policy was approved in principle by President Truman in April of that year. The detailed programs to support the new policy were being developed when the attack on South Korea took place in June, 1950. The Korean War was a limited war fought for limited objectives under the cover of a rapidly developing nuclear capability for general war, in a manner generally conforming to the policy laid down in N.S.C. 68.

Secretary Dulles's massive-retaliation statement did not announce a new doctrine but a return to a pre-1950 doctrine. It was not a step forward; it was a step backward—a step back dictated not by new strategic considerations but by domestic political and budgetary considerations. Ever since, the rationale of our military-political doctrine has been a shambles of inconsistencies, inadequacies, and reappraisals.

Henry A. Kissinger, director of a group studying the effects of nuclear power on foreign policy for the Council on Foreign Relations, has now published, as a result of these studies, a book entitled *Nuclear Weapons and Foreign Policy*. In 436 pages he has a field day with these inconsistencies, inadequacies, and reappraisals. He does not, however, concentrate his attack on Mr. Dulles and those other members of the present administra-

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tion (such as Wilson, Quarles, and Nixon) who still occasionally give voice to the massive-retaliation doctrine. He includes in his target for attack all our political leaders of both parties, all our senior military officers, whether Army or Air Force generals or Navy admirals, and the leading senators and congressmen who deal with military policy and appropriations. In essence what he attacks is the over-all approach of the United States as a nation to international politics and military strategy.

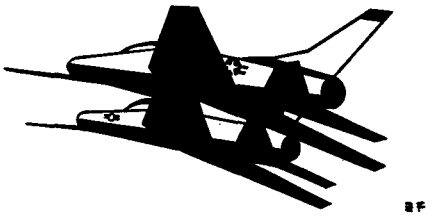
The First Blow

I find the picture that Kissinger presents oversimplified and overdrawn. It gives inadequate allowance both to the rich and varied development of the nation's political thinking and strategic ideas in response to the rapid evolution of this country's position in the world and to the very real difficulties that its policy has had to face. Kissinger gives the impression that with one adequate doctrine all would have been much easier. He seems to imply that such a doctrine would have called either for a preventive big war or for a series of little offensive wars during the period of our atomic monopoly. He suggests that our doctrine made it impossible to conceive of such a strategy. These things were all conceived of. They were rejected for what seemed to me, and still seem to me, very good and sufficient reason. The only people whose doctrinal and strategic ideas are referred to with approval by Kissinger are Lenin, Stalin, Mao, Hitler, and Napoleon—though I do not mean to suggest that he endorses all their views. Doctrine appropriate to a revolutionary dictator may be intellectually stimulating and we may in fact have much to learn from it. But the basis of our purpose, our situation, and our task as a nation are so different from those of the revolutionary dictators as to suggest that we be leery of adopting too much of their point of view for ourselves.

Many of the points, however, that Kissinger develops against the positions of absolute peace or of absolute war are well developed and at times brilliantly put. Much of what he says needs saying, and needs to be repeated again and again.

The book is hard to read. My first impression was that this was due to the time pressure under which the book was written and was largely a matter of style. On going over it a second time, I have the impression that the difficulty is more deep-seated. There are several hundred passages in which either the facts or the logic seem doubtful, or at least unclear.

At one point, for instance, he says that the blast and heat effects of weapons increase only by the cube root of their stepped-up explosive power, and that the blast effect of the twenty-kiloton bomb exploded over Hiroshima was only ten times greater than a twenty-ton TNT blockbuster. The applicable rule of thumb is the square of the cube root, and therefore the ratio



should be one hundred, not ten, to one. A megaton weapon has a blast effect ten thousand times that of a one-ton TNT weapon, not one hundred times, which is what it would be if Kissinger's cube-root rule were in fact valid. This may possibly explain why Kissinger thinks that five-hundred-kiloton weapons are appropriate for inclusion in an arsenal for a limited nuclear strategy designed to spare from annihilation the inhabitants of the geographic area in which the campaign is to be fought. Errors in fact of an order of magnitude of one hundred to one can have significant implications for doctrine.

KISSINGER repeatedly, almost regretfully, remarks that U.S. doctrine has conceded the initial blow in nuclear war to the enemy. The implication of this way of putting it is thoroughly misleading. If our preparations were not such as to enable us to survive an initial blow and still retaliate, our posture would be an invitation to surprise attack. On the one hand, we would tempt the enemy to strike first. On the other, we would be tempted to initiate a preventive war ourselves in order to forestall the attack we would otherwise have to expect. Our strategic preparation must therefore be designed against the contingency that the enemy strikes first. Our often stated policy, however, is that we would probably meet certain types of non-nuclear aggression by initiating a nuclear attack ourselves. Our doctrine does not therefore necessarily concede the first nuclear blow to the enemy.

Kissinger has great faith in the power of doctrine. At the close of the book he says: ". . . in foreign policy certainty is conferred at least as much by philosophy as by fact. It derives from the imposition of purpose on events." At the beginning of the book he says: "For better or for worse strategy must henceforth be charted against the ominous assumption that any war is likely to be a nuclear war." I see little purpose in making every war, even a limited war, a nuclear one.

Right Back Where We Started?

Kissinger makes his argument in favor of a strategy of limited nuclear war depend on the proposition that it is possible to design a system of limitations and a body of military tactics for a war in Europe that would permit the use of nuclear weapons, but only against limited targets in a limited geographic area and with weapons of limited type and size, and thereby defend western Europe without destroying Russia, the United States, or western Europe. Perhaps it will be possible to design such a system and to secure the concurrence of the European countries that are to be defended and also that of the Soviet Union. I doubt, however, that the system Kissinger proposes makes much of a contribution toward such a goal.

He proposes a geographic limitation of five hundred miles on either side of an initial demarcation line. He also proposes that any city, and an area of thirty miles' radius surrounding it, can be declared an open city if it contains no military installations such as airfields or missile installations. He leaves the reader to guess whether these ex-

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cluded areas (both the areas beyond the one-thousand-mile combat zone and the open cities) are to be excluded from all military activities or only from nuclear military activities.

If the former, then the outcome of the war will be determined by the forces in being within the non-excluded area on D Day, because reinforcement and resupply after D Day will be ruled out. Such a system would put a premium on a secret pre-D Day build-up, in which it would seem the Russians might have considerable natural advantages. If the latter reading is assumed, that the exclusion applies only to nuclear weapons, then the war may become largely a conventional war for control of the areas excluded from nuclear attack. In any case there are few if any areas in western Europe in which the cities are more than sixty miles apart. If it is possible to exclude one's own cities from destruction by declaring them open, I should think every European country would insist on declaring all its cities open. We are then right back where we started from: Either the Russians under threat of massive retaliation forswear aggression against western Europe or the war Kissinger contemplates is a conventional war.

IN THE NUCLEAR AGE everyone must be for the limitation of war, if war itself cannot be eliminated. But if the limitations are really to stand up under the immense pressures of even a "little" war, it would seem something more is required than a Rube Goldberg chart of arbitrary limitations, weightless weapons, flying platforms with no fuel requirements, and tactics based on no targets for attack and no logistic or communication vulnerabilities to defend.

In spite of what seem to me to be its serious shortcomings, Kissinger's book makes a distinct contribution to the continuing debate on the central strategic questions facing us and facing the world. Nowhere else is as full a treatment of the background material necessary to a consideration of these questions brought together. But the debate must go on. No resting place is yet in sight.

Mr. Waugh's Bad Dream

GERALD WEALES

THE ORDEAL OF GILBERT PINFOLD, by Evelyn Waugh. *Little, Brown. $3.75.*

Evelyn Waugh's novels have ordinarily grown out of some personal experience that has provided a background he could people with his brittle and funny characters or that has suggested an idea around which he could build a satirical plot. Thus *Black Mischief,* his early novel about an attempt to modernize a primitive culture, grew out of his trip to Ethiopia in 1930 to cover the coronation of Haile Selassie, and *The Loved One,* his short, sharp story of death and burial in southern California, followed on an assignment from *Life* to do an article on Forest Lawn Cemetery in Los Angeles. It is not surprising then that his new novel, *The Ordeal of Gilbert Pinfold,* is about a middle-aged novelist who suffers from hallucinations: Waugh himself went through such a hallucinatory bout in 1954.

When Aldous Huxley took to mescalin a few years ago, he recorded his hallucinations as though he were a sensitive scientist in search of colorful and comfortable data and then tried to transmute the results into a vaguely philosophical suggestion. No such path is possible for Waugh. After his hallucinations he began to look for a plot on which he could hang his experience; his new novel is a frank attempt to make comic capital out of what happened to him three years ago. Ideally, Waugh's approach should be more rewarding than Huxley's. But the plot is excessively slim and the comedy only intermittently funny.

Voices Come, Voices Go

All that the new book can offer by way of story is the voice-haunted voyage of the hero from England to Port Said. Gilbert Pinfold, sensing imminent collapse, decides that a trip to Ceylon will be a restorative. Almost as soon as he gets on board the S.S. *Caliban* he begins to hear noises—a dog snuffling in the corridor, a prayer meeting beneath the floor of his cabin, a band that mixes jazz and esoteric Indian music. Then come the voices. They taunt him, accuse him of all manner of social misrepresentation, excite him with lurid dramatic incidents (in one, the captain beats a steward to death), and threaten him with violence. At first the whole ship seems to be involved in a plot against him, but as the voyage goes forward the voices dwindle to three—Mr. Angel, the ringleader, at once domineering and cringing; harsh-voiced Goneril; and amorous Margaret. When he abandons the ship at Port Said, hoping to escape them, the three voices follow him as he flies to Ceylon and back again to England, leaving him only when he gets back to London. Medically, there may be an explanation for Pinfold's hallucinations—the sleeping powder that he takes mixed with crème de menthe, the large gray pills that he uses to help along the effect of the powder, the wine and brandy that he pours liberally after the drugs—but aesthetically there is not. The voices come, the voices go, but their arrival and departure are as pointless as Pinfold's trip to Ceylon.

Perhaps it is too much to ask that a significant story be formed out of the hallucinations. A note at the front of the book seems to embody its *raison d'être:* "Since his disconcerting voyage he has learned that a great number of sane people suffer in this way from time to time. He believes this record may amuse them." I cannot testify to the effect of the novel on Waugh's fellow sufferers, but by ordinary, nonhallucinatory standards it is not really very amusing. Some of the episodes that he overhears seem to parody adventure tales or sentimental radio programs and are effective enough on that level. But most of the book is filled only with nagging voices that are likely to be as tiresome to the reader as they are to Pinfold.

YET for all its deficiencies as a comic novel, *The Ordeal of Gilbert Pinfold* is fascinating for what

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it tells about Evelyn Waugh. Since the character is frankly modeled on the author, the opening chapter, "Portrait of the Artist in Middle Age," a rather affectionate sketch of a crotchety, opinionated, but somehow lovable writer, must carry a heavy helping of Waugh's mirror image. Gilbert Pinfold, we learn, is a Catholic, but not tiresomely intellectual about it. He is an efficient and successful novelist, one who knows what to do when he wants to do it, but he is not given to flatulent theories about the art of the novel. He is modestly proud of his war record. "His strongest tastes were negative. He abhorred plastics, Picasso, sunbathing and jazz—everything in fact that had happened in his own lifetime." Despite the flat finality of that statement, we are led to believe that Pinfold is simply a solid conservative in his taste in music, furniture, and art. Thus we are given Waugh's semi-fictional self-portrait.

But what of the accusations that harry his voyage? Pinfold is accused of being a snob, a phony aristocrat, a newly rich pusher, a heartless human being (the voices swear he let his mother starve), a Mosley fascist, a homosexual, a Communist, and a Jew (Peinfeld). At some time or other, Waugh may have been stuck with most of these labels (except probably the last two). At least, the force of the hallucinations is to say: "Look, I am not any of these things—such accusations are only delusions." Yet the accuser is not the invisible Mr. Angel; it is Pinfold's own mind. Pinfold's ordeal conjures up a pretty picture of Waugh's own hallucinations. Obviously some of the attacks—the allegations of homosexuality and Communism—are thrown in because they are familiar whispers aimed at many public figures. Although the suggestion of Jewishness is also a favorite among whisperers, in this case it is more significant; it fills in an important corner in the portrait. Waugh apparently considers that a Jew is one of the things definitely not to be.

The Ordeal of Gilbert Pinfold is certainly not vintage Waugh. It cannot be recommended as a novel or as a satire, but to anybody who is simply curious about the author, the book is remarkably revelatory.

A Zulu on the Beach

SANDER VANOCUR

OPERATION SEA LION, by Peter Fleming. *Simon and Schuster. $5.*

Operation SEA LION was the code name given by Hitler to the projected German invasion of England. On July 16, 1940, he issued his Directive 16, which began with the words: "As England, in spite of the hopelessness of her military position, has so far shown herself unwilling to come to any compromise, I have decided to begin to prepare for, and if necessary to carry out, an invasion of England. This operation is dictated by the necessity of eliminating Great Britain as a base from which the war . . . can be fought, and if necessary the island will be occupied. I therefore issue the following orders . . ."

Hitler, who was rather single-minded about most things, was at cross purposes with himself over an invasion of England. He planned, belatedly, for an invasion, but he never ceased to hope that a compromise peace might be achieved. We know from the memoirs of German leaders that have been published since the end of the war something about Hitler's attitude toward the British. It was a mixture of admiration for all that the British Empire represented and fury that it should stand so resolutely in his path. Discussing the military achievements of the British with Field Marshal Kesselring in 1943, Hitler remarked: "Of course, they are a Germanic people too!" This ambivalence did much to prevent Hitler seriously coming to grips with an invasion plan until a month after the French capitulation.

EVEN AFTER he had issued Directive 16, which called for the invasion plans to be completed by the middle of August, Hitler did not cease to hold out some hope of reaching an understanding with the British.

In a speech to the Reichstag on July 19 that was filled with his usual boasts and threats, Hitler did manage at the end to sound—at least for him—somewhat conciliatory toward the British. "It almost causes me pain," he said, "to feel that I should have been selected by fate to deal the final blow to the structure which these men have already set tottering. . . . Herr Churchill ought perhaps for once to believe me when I prophesy that a great empire will be destroyed—an empire which it was never my intention to destroy or even to harm."

On the night of August 1 and for several nights after, a large number of leaflets headed "A Last Appeal to Reason" and containing a translation of the peace offer Hitler made in the Reichstag were dropped by German aircraft over parts of England. To Mr. Fleming, such an action, at a time when German aircraft should have been assembling for the assault on the island, was a matter of "policy at the highest level"—in other words, Hitler's refusal until the last to believe that the British would continue the war.

'A Stunning Blow to Ringing . . .'

No matter how seriously the British leaders took the possibility of invasion, the British people never quite accepted the idea. In a series of amusing anecdotes, Mr. Fleming records how the people went about preparing for the eventuality, but they did so in a manner that suggests one of their delightful film comedies.

Invasion Committees were formed, each of which looked after a district. Among their duties, these committees were required to supply certain information for War Books in compliance with a standard *pro forma* supplied them by the Ministry of Home Security.

The village of Painswick (pop. 1,800) was grouped with the villages of Pitchcombe (pop. 340) and Edge (pop. 180) under one Invasion Committee which neglected no detail in compiling its War Book. The committee quite sensibly complied with Part 22 of the *pro forma* entitled "Sites earmarked for Mass Graves" by suggesting that the churchyards

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would provide the best available sites.

Part 9, concerned with the possibility of a complete breakdown of communication, asked for suggestions about "Other Means of conveying Instructions and Information to the Public." The committee pondered the problem for a while and then recorded: "The Information Officer has a Megaphone."

In a coastal district of Glamorganshire, the Home Guard was delighted when a sixty-three-year-old Zulu volunteered for duty. It was hoped that if the invaders landed, the Zulu's appearance on the beach, suitably attired, might create the strong impression that a serious navigational mistake had been made by the German Navy.

Another cause for concern was the ban on the ringing of church bells announced on June 13, 1940. Henceforth, they could only be rung to give warning that an airborne attack was in progress. This action was viewed by some with grave anxiety. *Ringing World,* a journal devoted to the furtherance of campanology, called the ban "a stunning blow to ringing, from which, even when the war is over, it will take a long time to recover." The ban was removed in 1943.

IT IS FITTING that Mr. Fleming has included such stories as these in his excellent account of planning at the higher levels of both the British and the German governments. Incidents of a lighter nature are all too often forgotten among the seemingly more important movements of armies and ponderings of statesmen which so many historians dote upon. But how accurately these trivial details convey to the reader seventeen years later the mood of the British people in 1940! History has afforded few such examples of quiet resolution and courage. The British, of course, are notorious for their lack of imagination. They have even contrived to elevate this characteristic to the status of a national virtue. And why not? At a time when the rest of the world looked on this island and its people with anxious pity, the possibility of defeat never occurred to the British. It was simply not their dish of tea.

Expedition into a Wilderness

SIDNEY ALEXANDER

Voss*, by Patrick White. *Viking Press. $5.00.

Patrick White, the brilliant Australian novelist, quite literally views life from Down Under. Like all people who think of life as a cycle, he is intensely aware of the beginning and the end of things: Out of dust we come and into dust we return. With *The Tree of Man,* this vision was broodingly unfolded to a quiet and pessimistic close. Now, in *Voss,* the story of a quest, Mr. White's sensibility is even more extraordinary, his concern with death even more manifest, but this time ultimate defeat, denial, and dissolution serves as fuel for a Christian illumination.

Into mid-nineteenth-century Sydney comes a German explorer, Johann Ulrich Voss, resolved to cross the unknown interior. From wealthy merchants of the colonial town Voss raises money for his expedition, gathers around him a party of men whose motives are widely disparate. On several occasions prior to his departure, Voss encounters Laura Trevelyan, a young Englishwoman, and although their acquaintanceship was casual, he carries her image with him into the bush. Passion is set afire by absence, and Voss proposes by mail; Laura's reply is vague; and then, contrapuntally with Voss's torturous progress across the continent, is woven the most disembodied love affair in contemporary fiction, a marriage of spirits who meet only in dreams. All ends in defeat: With the exception of a deserter, every member of the expedition dies; Laura remains a spinster, the vicarious wife of a dead hero, the vicarious mother of a child she has adopted.

Revealingly, Mr. White writes with most conviction when he deals with loss and failure. The sections portraying colonial society a hundred years ago are impressive chiefly by their fidelity to period. The neat depiction of manners, the stilted dialogue, the heavy humor, the coy and sentimental passages written in a kind of Valentine baroque—in these scenes Mr. White shows himself a most competent craftsman, able to imitate the Brontës and Thackeray to the point of creating an illusion that his novel was actually written in the nineteenth century.

But in the allegory of Voss on his quest there are passages of genius, and surely on technical grounds alone, Patrick White is a master. His Gaelic-tinted rhythms, his leaping ellipses, the odd diction, the slanting syntax, the remarkable evocation of scene, the ability to slip through levels of time and from reality to dream, even the curious mannerisms (using "did" as a simple past auxiliary instead of an intensive, or commencing sentence after sentence with the suspended chord "So")—in these matters the novel is a delight for readers and writers. If this reviewer was ultimately dissatisfied, even oppressed, it was because he was not convinced by Mr. White's magic trick of converting a succession of Noes into a sublime Yes.

A Parable

Voss, that Teutonic abstraction, that Pure Will, is like Captain Ahab, and his voyage into the interior of Australia is a voyage into the interior of self. He is a pre-Christian man, he despises humility, and so he must be chastised, stripped of his pride, reduced to a chattering spirit in a cage of bones. In the darkest hours Voss, who hates all sickness and scorns compassion, finds himself washing the sores of his companions. Three-quarters through the book, Mr. White impatiently strips the veils off his intention. The stone-age savages and the troglodytic landscape, the deserts and the rainstorms, the shrunken cattle and the abandonment of the sheep, the desertion of the common-sense ex-convict and the slow death of the various members of the party—all this is so clearly a restatement of Christ and the disciples that the

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beautifully rendered realistic integument simply falls away, and we realize the import of Mr. White's artistry.

What is man? Voss in his extremity asks of the spirit of Laura drifting at his side.

"Do you see now? . . . Man is God decapitated. That is why you are bleeding."

And later, Voss sighs: "We rot by living."

"Grace lay only in the varying speeds at which the process of decomposition took place, and the lovely colours of putrescence that some souls were allowed to wear. . . ."

So, slowly, the book reaches its apotheosis in putrescence, the brilliance of decay, ascent by descent, and the whole baggage of mortification as the only road to heaven.

Dream and Reality

Indeed, the author's propulsion throughout is toward dislocation of the senses. It is no accident that Mr. White writes so beautifully of dreams; and that, unlike the nymphs and sybarites who inhabit American fiction, his lovers have no flesh at all. Reality, which he can render so vividly, is always quivering at the brink of dissolving into the amorphous primal jelly after which this Australian is always hankering. Here, in the swamp, at the edge of nothingness, when man has been reduced to his final extremity, Mr. White—and his hero Voss—finds God. God is the Yes arrived at only after one has exhausted the No: an assertion that has no meaning in terms of living, but only in terms of a whole series of negations. Voss conquers because he fails, Laura is married in her mind only, victorious love is a denial of carnal tangible marriage, and eventually in the slow inevitable round, man dies and is gathered into the earth.

Hence, this remarkable poet of evocation is almost entirely lacking in dramatic sense, and the book is clogged, slow-moving as a lava flow—and as relentlessly powerful. Mr. White has a vegetable vision: Things, people included, ripen slowly, almost imperceptibly, in his pot of earth—and all, from moon to man, turns and turns in a grave dance, a ritual motion that holds and lulls us. He is not the author to rouse one, or set one thinking; his quality of consciousness suffuses one's own like a sunrise until we are bathed in it, and we see the world—landscape even more than man—in a glow of wonder.

Perhaps that is why this book, with all its Victorian upholstery, is so tremendously impressive. For wonder is a state of mind rare in our time. We jump or we crack (wise or up)—we don't brood. Mr. White broods: He sees all about him, as Whitman saw, "nothing but miracles." But how far we have traveled from the American's mystic optimism! Now, a sense of wonder serves primarily to feed the necrophilia of a superb artist.

They Blamed It All on Her

FRANCIS STEEGMULLER

QUEEN OF FRANCE: A BIOGRAPHY OF MARIE ANTOINETTE, by André Castelot. Translated from the French by Denise Folliot. *Harper. $5.*

Concerning Marie Antoinette it is particularly tempting to parrot the maxim that "Men don't make history; history makes men." The Revolution broke this butterfly, one often hears it said, and in breaking her transformed her into the tragic heroine we recognize her to be. The story of her early flutterings and the story of the breaking are familiar in a general way to most of us, but they have never been told in detail as well as here. M. André Castelot's volume stands out in the field of French biography for its scholarship and readability. It is a shattering human document.

Shattering, in part, because the facts in the case are such that they set free, to a degree that horrifies the reader, vast floods of the satisfaction we take in the misfortunes of others. It is quite simply true that the more excruciatingly Marie Antoinette suffers, the more enthralling her story becomes. A certain trick of the author's technique makes particularly apparent how the tension increases as the book grows bloodier. "For a long time," says M. Castelot on page 3, "Maria Theresa mused at the bedside of the delicate child . . ."; and needless to say, as Maria Theresa muses beside her fourteen-year-old daughter, M. Castelot treats the reader to a bird's-eye view of recent European history (the supposed subject of Maria Theresa's musings). There is no document, apparently, which states that the empress did any special historical musing at the moment when M. Castelot says she did, and the reader notices the makeshift form of the narrative.

But on page 409 M. Castelot does it again: Marie Antoinette, on the platform of the guillotine, "shut her eyes and felt that she was being dragged to the upright plank. She was tied on. It took long—horribly long. Finally the plank tipped over and she felt the heavy wooden collar fixed around her bared neck.

"A click.

"It was a quarter-past twelve.

"Between the moment she appeared on the platform and the moment the crowd heard the dull noise four minutes had passed."

HAVING absorbed the intervening pages of gathering storm, flight, chase, repeated near escape, insult, indecency, slaughter, and drama both national and personal, the present reader, at least, was in no mood to object to M. Castelot's "It took long—horribly long." What was inane on page 3 is now acceptable as dramatic reporting, in harmony with the supreme moment it describes. In the queen's earlier days, the court intrigues are trivial (who cares whether she spoke to Mme. du Barry?); the details of court etiquette are boring; the king's coronation drags; the affair of the diamond necklace is *too* mysterious; Marie Antoinette and Fersen are a pallid pair of lovers or near lovers, as compared with Anne of Austria and Mazarin or

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the Grand Mademoiselle and Lauzun. But once the Bastille falls and the women of Paris march on Versailles . . . Yes, everything "bad" that happens to Marie Antoinette is the reader's gain, and heaven knows there is plenty of it.

But was it history—the Revolution—that turned her into the figure we know? M. Castelot includes in his books some crude remarks—crude in the sense of being unpolished—by "Dr. Paul Ganière, the excellent biographer of Corvisart" (Corvisart was Napoleon's physician) about the physical malformation that made it impossible for Louis XVI to consummate his marriage for seven years, until he consented to undergo an operation. For some time he did not even try to be a husband, paralyzed by fear of his elegant little Viennese wife as well as by the habitual sexual indifference that Dr. Ganière thinks the defect caused. On going to bed he fell asleep at once, and Marie Antoinette remained a wife in name only. Then, falling in love with her, he *did* try. In Dr. Ganière's words: "Night after night, in the silence of the nuptial chamber, this clumsy and well-meaning young husband inflicted moments of real nightmare on his companion without ever attaining the desired result, except no doubt for some defilements on her flesh which these two innocents might believe would result in a pregnancy that would put an end to all the court's gibes."

Those were the years when the queen became noted for her extreme frivolity. ". . . How can one be surprised," says Dr. Ganière, "if the young Queen, undoubtedly endowed with the impetuous temperament which has characterized so many members of the Hapsburg family, appeared to the eyes of her intimates and through them to her whole people as frivolous and capricious? Nearly every night she had to submit to her husband's demands, which, although they might not yet have any real result, aroused without appeasing her senses. . . . By day she tried to lose herself in a whirl of sometimes questionable pleasures. She sought . . . friendships which would appease her ardent need for affection."

And after the successful operation the poor king was so importunate, so clumsy and unskilled, that the queen soon admitted to a friend: "I should be neither grieved nor very annoyed if the King were to develop a passing and temporary attachment. . . ." To avoid his company at night she plunged into later and ever more frantic pleasures; now came the extravagance, the rage for gambling and betting. She bet $60,000 of today's money that the Comte d'Artois couldn't build a château in the Bois de Boulogne in six weeks, while the court was at Fontainebleau. Nine hundred laborers worked day and night. " '. . . As there was a lack of building materials, particularly freestone, lime and plaster, and no time could be lost in looking for them, M. le Comte d'Artois gave orders that patrols of the Swiss Guards should search the high roads and seize all the carts they found loaded with the above-mentioned materials. The price of the materials was paid right away, but as the goods had already been sold to other individuals, there was a kind of compulsion in this method which revolted public opinion.' " The immediate result was the delightful Bagatelle which we all enjoy in the Bois today; but the larger result . . . ?

'Madame Deficit' and Mozart

Along with the wild spending went an increased snubbing of the older, more conservative members of the court, and exclusive dalliance with her own small fashionable coterie of "bright young people." As a spendthrift she became hated by the tax-ridden populace that had once acclaimed her (now they called her "Madame Deficit"). As a mocker she alienated many of her own class, not deigning even to live with them at Versailles but building for herself and her intimates the Petit Trianon and finally the Hameau. When the storm broke she had to send away her coterie—Mme. de Polignac and the others, the first *émigrés*—for their sake as well as her own. She was left literally almost friendless—part of her tragedy was isolation and near solitude.

The king's shortcomings as a husband, the giddiness, the spending, the snubbing, the resentment, the rage and revenge of the people—it is all a progression. The Revolution did not make Marie Antoinette; she and the Revolution helped make each other. What is lacking in M. Castelot's excellent narrative is any picture of the poor woman's earliest days. We see the fourteen-year-old girl beside whom Maria Theresa sits musing, but there are only glimpses of the younger child.

" 'I shall be your husband, shan't I?' " said the boy Mozart in one of the Schoenbrunn galleries.

" 'Oh yes, no one but you!' cried Antonia earnestly, and with shining eyes."

And:

"Her governess, Mme de Brandeiss, wrote all her pupil's exercises in pencil and Antonia had only to go over them in ink. The child herself admitted this to her mother. Maria Theresa then instructed the Countess of Lerchenfeld to take the Archduchess's education in hand."

THERE is little more. Whether she was or was not innately intelligent (M. Castelot seems to tell us both), she was "not able to concentrate" in the schoolroom but "neatly evaded her tutor's reproaches"; later, the revolutionaries with whom she pretended to co-operate perceived her unreliability, both intellectual and moral; and yet during her "trial," the days immediately preceding her death, she showed much shrewdness. With the departure of her coterie, the frivolity of her daily activities had ceased almost at once. Her political standards did not change, but her daily behavior did: For the more serious governess now hired for the Dauphin she wrote a surprisingly keen analysis of her son as she had observed him. Her courage at the end was sublime. She had the truly imperious Maria Theresa for a mother—surely a formidable heritage. But formidable how for good? How for bad? Somewhere back in Schoenbrunn or the Hofburg lie childish secrets—all-important secrets that share with her marriage and the Revolution the responsibility of forming (and destroying) Marie Antoinette.

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Mark Twain Goes West

TOM ARMSTRONG

MARK TWAIN OF THE ENTERPRISE, edited by Henry Nash Smith, with the assistance of Frederick Anderson. *University of California Press. $6.*

WHEN the Civil War stopped the side-wheeler traffic on the Mississippi, Sam Clemens, a river pilot, drifted back to his home in Hannibal, Missouri, and was promptly mustered as a second lieutenant into a small Confederate unit called the Marion Rangers. After about two inglorious weeks spent largely in hiding out—Union troops had already crossed the Missouri—he casually left his command and walked back home. In the early disorganized days of the war such decampments were regarded less as desertion under fire than as breaches of military etiquette.

Returning to Hannibal, the former Confederate officer found that his older brother Orion, a Union sympathizer, had been appointed secretary for the Territory of Nevada. On July 25, 1861, the brothers left from St. Joseph for Carson City.

During the next fifteen months Sam Clemens worked with irrepressible optimism as speculator, prospector, mine hunter, silver miner, and for one miserable week as a laborer in a quartz mill. At last, discouraged and broke at twenty-seven, he decided to earn a living by writing. In September, 1862, he became a reporter on the Virginia City *Daily Territorial Enterprise.*

'Those Were the Days!'

Mark Twain of the Enterprise examines the twenty months the young man spent on the staff of the newspaper, presenting thirty hitherto unpublished letters and reports—some written as Sam Clemens, "straight" journalist, others as Mark Twain, spirited precursor to the modern humorous columnist.

From the first, Sam's reports were personal, imaginative, and, whenever possible, audaciously irresponsible. He began signing his dispatches "Mark Twain" in early February, 1863, and thereafter the articles into which he "put no end of seasoning" usually appeared over his pseudonym, while factual copy dealing with "cast-iron" items was ascribed to Clemens.

Virginia City lived up to Mark's conception of how a town should conduct itself. The discovery of the Comstock Lode there in 1859 had converted it into the liveliest boom town America had seen. The streets swarmed with fortune seekers—fifteen thousand of them in 1863—and, as Twain later remembered it in *Roughing It,* "Money was as plenty as dust; every individual considered himself wealthy, and a melancholy countenance was nowhere to be seen. There were mili-

tary companies, fire companies, brass-bands, banks, hotels, theaters, 'hurdy-gurdy houses,' wide-open gambling-palaces, political pow-wows, civic processions, street-fights, murders, inquests, riots, a whiskey-mill every fifteen steps, a Board of Aldermen, a Mayor . . . a Chief of Police, City Marshal, and a large police force, two Boards of Mining Brokers, a dozen breweries, and half a dozen jails and station-houses in full operation, and some talk of building a church."

"Those were the days!—those old ones," he said in 1905. "They were so full to the brim with the wine of life; there have been no others like them."

He once wrote that it was the California gold rush that corrupted America into a money-oriented nation, but in his own Sierra days he did his unavailing best to get corrupted. For a cub reporter his hopes were astral. He wrote his mother and sister back in Hannibal: ". . . if I had any business tact the office of reporter here would be worth $30,000 a year—whereas, if I get $4 or $5,000 out of it, it will be as much as I expect." It is unlikely that he ever made more than $160 a month out of it, a very modest salary in an inflated boom-town economy, and when he left Virginia City for California he had to borrow money for the fare.

The Departure

In May, 1864, Twain became involved with the promotion of the Sanitary Fund, the Civil War equivalent of the Red Cross. Celebrating the raising of "$30,000 or $40,000" for this cause, he wrote an editorial hinting that moneys collected at a recent fancy-dress ball promoted for the fund by some prominent ladies of Carson City were to be diverted to some "miscegenation society" back East. Twain was persuaded by his fellow reporter Dan De Quille (William Wright) not to publish this drunken effort at satire, but the manuscript was found later by the press foreman, who had it set and printed.

The resulting explosion blew Mark Twain out of Virginia City. He had directed many caustic lampoons at his friends and kept their friendship; he had bitterly attacked undertakers, swindlers, prosecuting attorneys, and "the telegraph monopoly" (which had recently superseded the pony express) and still survived. So he was unprepared for the withering blast of righteous wrath from ladies working for a Cause. More afraid of ridicule than of guns, he could not bring himself to apologize; instead he wrote a series of formal letters demanding satisfaction of the owner of the competing newspaper who had insulted him. Before this altercation reached the shooting stage Mark left Nevada for San Francisco and the world beyond the mountains, proving to our gain that he who writes and runs away may live to write another day.

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Bureaucrats at Bay

JOHN KENNETH GALBRAITH

COME WITH ME TO MACEDONIA, by Leonard Drohan. *Knopf. $3.95.*

Nearly everyone who has worked anywhere in the world for what is formally called "an instrumentality of the government of the United States" has observed, in a reflective moment, that somebody should write a novel about "this place." One novel that brilliantly demonstrated the point of such a suggestion was James Gould Cozzens' *Guard of Honor,* which dealt with a wartime experimental base of the Air Force. Now the same thing has been shown in a more pedestrian environment by Leonard Drohan, a comparatively youthful employee of one of the far-flung establishments of the Pentagon. He has written an elegant and infinitely entertaining story. It may not be believed, although one can no longer be sure. A great many Americans by now have had first-hand experience with the administrative tendencies of the armed forces and are prepared to believe anything.

THE SETTING of the story is a remarkable bureaucratic booby hatch called Army Logistic Area Number Five, where incredible masses of paper are duplicated, distributed, revised, amended, initialed, cleared, forwarded, transmitted, and filed, and where, even more improbably, a certain number of things do get purchased for the Army. The hero is a mild and intelligent young civilian named Humphrey Hogan, whose winning Irish speech and temperament endear him to two lovely girls who also work for the Area. He also lives in harmony with both his cynical and articulate co-workers and with the majors and colonels who guide this unpromising component of our common defense. Or rather, he has managed to do so until one of the maidens persuades him to take a stand against some of the wilder administrative aberrations of the ink-stained fighting men who command the redoubt. Then his life becomes a veritable hell, and it is of this that the author joyfully tells.

For common sense is not tolerated at Army Logistic Area Number Five. The officers who occupy (this word is used advisedly) the key positions fall into two classes: the incompetent and the subhuman. The first find refuge in paper work and in make-work from a reality that confuses where it doesn't positively frighten them. The second group proliferate both paper work and make-work either out of ignorance or the insane belief that they are being keen operators.

Gridley, Gridley, Where Are You?

There are also civilian administrators in Army Logistic Area Number Five, and some of these are better, although there are others whose virtuosity in nit-picking is outweighed only by their fear of their martial superiors. Nor do things improve. Toward the end of the book Colonel Chester A. Decker, the C.O., is returned to the troops. He was qualified for the post only by comparison with his fiendish executive officer and by a capacity for total recall that includes his experiences as a shavetail, when he stood off with equanimity a "pandemonious mob of mutinous Mindanoans." His place is taken by Colonel Philip Fields. Colonel Fields is:

"A book man all the way. . . . a terse model of every military epigram ever coined . . . . all hustle and bustle, and stern, hard-hitting, straight-from-the-shoulder, unflinching stalwartness. 'Let's see that contract. Check into this at once. Prepare for action. Man your battle stations. Damn the torpedoes, fool speed ahead. You may fire when ready, Gridley. Gridley, Grid-ley, for crissakes, Gridley, where are you? Sighted sub, sank same. Ours or theirs? Bombs away. I have not yet begun to fight. Send us more Japs. Don't give up the ship. Do you want to live forever? We have met the enemy and we are theirs. Kiss me, Hardy. I shall return. Nuts. Charge.'"

Not that Colonel Fields is exclusively military. He once did a little work with the law, and his first step is to propose the integration of several more lawyers into the contract-negotiation procedures. So life at Army Logistic Area Number Five goes on.

THE AUTHOR has obviously had experience with the procurement operations of the armed services. Someone is likely to point out that this has left him with galloping bias against the brass. Others—you can hear them now—will say that the book is a libel against the millions of hard-working Americans who humbly serve our government. These charges are all too true. But no one should give them a second thought. Our officers' corps will unquestionably survive this onslaught, although one hopes there will be wounds.

The more important point is that while judges, administrative tribunals, security officers, and other majestic personages are required to be judicial in their bearing, a novelist is not. If by giving some revered institution an unmitigated lacing he can entertain the public, that is not only his right but his duty. No one will deny that Mr. Drohan is entertaining.

He has another justification. Nothing does so much for the pompous man as to picture him under the full draft of his own effulgent personality. Indeed, it is doubtful if there is any other cure. There he sees himself, sharing his wisdom, telling people what is moral and what is immoral, foretelling the future, knowing the unknowable, accommodating the truth to his wishes, offering himself as a model of rectitude, virtue, and patriotism for others to imitate as well as to admire.

Inevitably, he looks silly. Mr. Drohan has done the Army a great favor in this tract in helping it to combat one of the endemic diseases of government in our day. He should now get a false mustache and an assumed name and move on to the State Department. There, however, it would be a great waste for him to start at the bottom.

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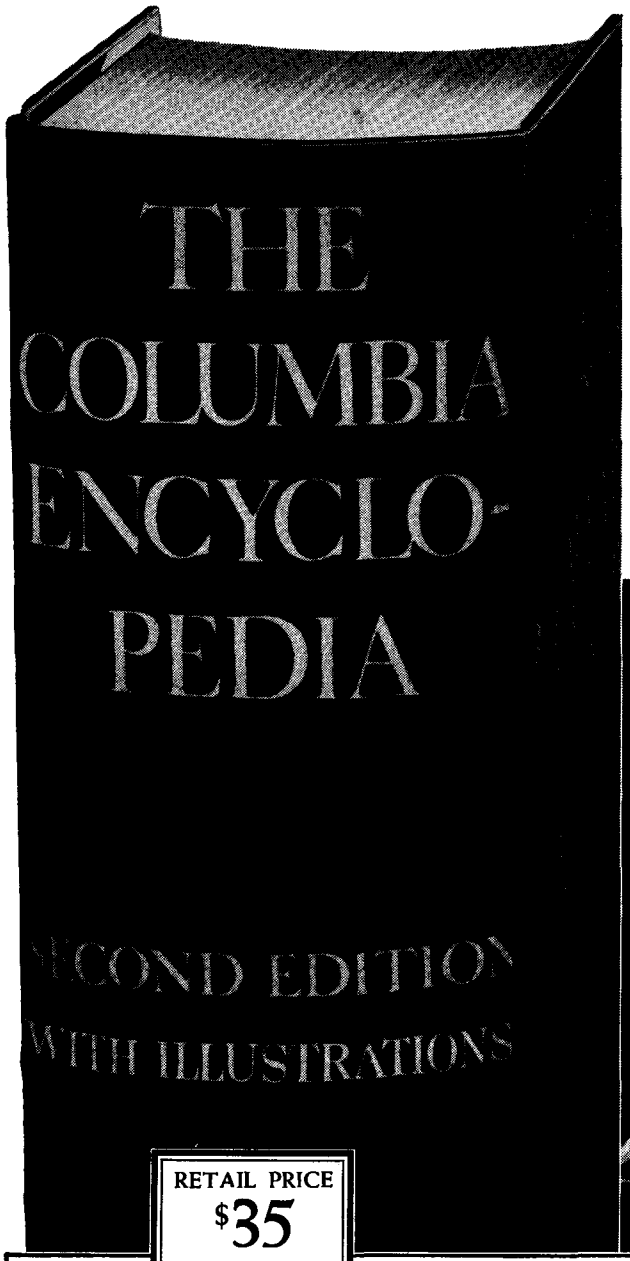

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